

1 U.S. ARMY CORPS OF ENGINEERS

2 NEW ENGLAND DISTRICT

3

4 PUBLIC HEARING held at the Hingham Town Hall,
5 Hingham, Massachusetts, on Tuesday, April 15, 2003,
6 commencing at 1:30 p.m. concerning:

7

8 MBTA GREENBUSH

9 COMMUTER RAIL PROJECT

10

11

12 BEFORE:

13 Lieutenant Colonel Brian Green

14 Larry Rosenberg, as Moderator

15 Christine Godfrey, Chief, Regulatory Branch

16 Ted Lento, Permit Project Manager

17

18

19 -----

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P R O C E E D I N G S

MODERATOR ROSENBERG: Good afternoon and welcome to this public hearing regarding the construction of the computer rail service on the Greenbush branch of the Old Colony Railroad Line.

My name is Larry Rosenberg, and I'm the Chief of Public Affairs for the United States Army Corps of Engineers in New England. Our headquarters is located in Concord, Massachusetts, and I will be your moderator and facilitator today.

Our Hearing Officer today is Lieutenant Colonel Brian Green, our Deputy District Engineer for the Corps of Engineers in New England.

If you need copies of the public notice, the hearing procedures or other pertinent information, it is available at the registration tables outside.

Following this introduction, Colonel Green will address the hearing. It is hoped that he will be followed by the applicant, the Massachusetts Bay Transportation Authority, who will give a short description of that permit application. I will then review the Corps of

1 Engineers' responsibilities in this process and
2 explain the hearing procedures. Following that, I
3 will open the floor to public comment utilizing our
4 hearing protocols, which were also available at the
5 registration desk.

6 Before we begin, I would like to remind
7 you all of the importance of filling out those
8 cards. This afternoon, they are blue; this
9 evening, they will be yellow. They were available
10 when you got here.

11 These cards serve two purposes. First,
12 they let us know that you're interested, and we can
13 keep you informed; second, they provide me a list
14 of those who wish to speak.

15 If you did not complete a card, but
16 wish to speak, or receive future information
17 regarding the MBTA permit application, one will be
18 provided at the application desk, the registration
19 desk.

20 One additional reminder. We are here
21 today to receive your comments, not to enter into
22 any discussion of those comments, or to reach any
23 conclusion.

24 Any questions should be directed to the

1 record and not to the individuals on the panel.

2 Thank you.

3 Ladies and gentlemen, Colonel Green.

4 LIEUTENANT COLONEL GREEN: I would like
5 to welcome you today to this public hearing
6 regarding the permit application from the MBTA on
7 the proposed construction of the commuter rail
8 service on the Greenbush branch of the Old Colony
9 Railroad Line in the Towns of Braintree, Weymouth,
10 Hingham, Cohasset and Scituate. I also would like
11 to thank you for involving yourself in this
12 environmental review process.

13 I'm Lieutenant Colonel Brian Green of
14 the New England District of the US Army Corps of
15 Engineers. Our headquarters is located in Concord,
16 Massachusetts. Other Corps of Engineers
17 representatives with me today include; Christine
18 Godfrey, our chief of Regulatory; Ted Lento, our
19 Permit Project Manager; and Larry Rosenberg, our
20 Chief of Public Affairs, who will facilitate
21 today's hearing.

22 Today's hearing is being conducted as
23 part of the Corps of Engineers regulatory program
24 solely to listen to your comments. By conducting

1 this public hearing, we, the Corps of Engineers,
2 continue to fulfill our regulatory requirements to
3 seek public comment and input related to the MBTA
4 proposal.

5 Our role in this permit process is
6 defined by Section 404 of the Clean Water Act, by
7 Section 10 of the Rivers and Harbors Act, and as
8 required by Section 106 of the National Historic
9 Preservation Act.

10 While no decision will be made today,
11 my decision to issue or deny the permit will be
12 based on an evaluation of the probable impacts of
13 the MBTA's proposed activity, and your comments
14 will be considered in evaluating whether the permit
15 application is issued or denied.

16 Accordingly, please feel free to
17 provide comments that you would like to enter into
18 the record, either in this hall, or directly to the
19 stenographer located outside of this auditorium in
20 the informational area.

21 Additionally, I will receive any
22 written comments today and until April 25th of
23 2003. I assure you that all of your comments,
24 written or oral, will be addressed during this

1 process, will be treated equally on the record, and
2 will be considered in my decision.

3 It is crucial to this public process
4 that your voice is heard, and we're here to listen
5 to your comments, to understand your concerns, and
6 to provide you an opportunity to put your thoughts
7 on the record, should you care to do so.

8 A prior public hearing was held in
9 August of 1997 that was attended by over 500
10 people. At that time, we received extensive
11 comments, both oral and written, that have been
12 incorporated into our records, and will be
13 considered fully in our decision process.

14 Since then, there have been many
15 project changes proposed by the MBTA, and this
16 hearing is your opportunity to provide comments on
17 these changes.

18 Once again, I remind you that prior
19 comments that we have received will be considered,
20 and I encourage you to focus your comments today on
21 the new project elements that have been proposed
22 since our last hearing in 1997.

23 I would like to emphasize that this is
24 your hearing, and we need you to assist us in this

1 public review process.

2 To date, no decision has been made by
3 the Corps of Engineers with regard to this permit.
4 It is my responsibility to evaluate both the
5 environmental and socioeconomic impacts prior to
6 making any decision. And in order to accomplish
7 that, I need your input.

8 Thank you.

9 MODERATOR ROSENBERG: Did Mr. Brennan
10 arrive?

11 ANDREW BRENNAN: Yes.

12 MODERATOR ROSENBERG: Ladies and
13 gentlemen, Andrew Brenton -- Brennan. I'm sorry.
14 The Director of Environmental Affairs for the
15 Massachusetts Bay Transportation Authority.

16 ANDREW BRENNAN: Thank you very much.
17 I appreciate this opportunity.

18 MODERATOR ROSENBERG: Turn it on.

19 ANDREW BRENNAN: Thank you very much.

20 Again, my name is Andrew Brennan. I'm
21 the Director of Environmental Affairs for the MBTA;
22 and the MBTA, as you know, is the applicant of this
23 federal wetlands 404 permit. So I appreciate the
24 Corps having this hearing, and giving everyone an

1 opportunity to comment on it.

2 As was discussed, the MBTA filed an
3 initial permit application in 1997, and there is
4 also reference to a very large public hearing held
5 on that in the summer of 1997.

6 I'm going to talk very briefly today
7 and just really focus on what has changed since the
8 time of that hearing, and so I'm going to go
9 through this quickly.

10 The first piece was upon the filing of
11 that hearing began an extensive regulatory process,
12 both under a number of regulatory systems under
13 NEPA, under Section 106 of the Historical
14 Preservation Act, as well as under the Clean Water
15 Act.

16 In September of 1999, the Army Corps
17 issued what is referred to as a LEDPA, the least
18 environmentally damaging practicable impact from
19 alternative -- or determination, a draft
20 determination on the LEDPA for the commuter rail,
21 some that is the least environmental damaging
22 alternatives that still met the purpose and need of
23 the project.

24 With that determination, we moved onto

1 an extensive Section 106, the historic preservation
2 process, which ultimately ended up with an
3 agreement between the MBTA, the Mass. Historic
4 Commission, the Army Corps of Engineers, on how
5 historic properties would be analyzed, assessed and
6 mitigated during the design of the project.

7 It also let out a very extensive
8 program for design review, review by the
9 municipalities, review by the Historic Preservation
10 Officer, and a review by the Army Corps on these
11 design packages that come in.

12 And additionally, on -- while this is a
13 federal process, it is a very important with the
14 state process, which we completed our state
15 environmental review process. We completed the
16 MEPA process in the summer of 2001 effectively
17 ending the state environmental review process,
18 which kicked us off into a state permitting
19 process, which we are in today.

20 In terms of the change that were
21 alluded to, I want to talk to some of the more
22 significant ones. There are a number of changes
23 that occurred. I'm going to talk about the ones
24 that significantly affect either the jurisdiction

1 here on this permit with federal wetlands issues,
2 or the federal historic preservation issues. The
3 most significant wetland issue is the relocation of
4 a layover facility in Scituate.

5 In the permit application, we have it
6 south of the driftway. We have now moved it to
7 north of the driftway, effectively reducing the
8 acres of the wetland impact by over an acre of
9 wetland impact down on the south of the driftway.

10 In addition, there's a major change to
11 the wetland issues was that relocation of Nantasket
12 junction station. So those who are familiar with
13 the area, we are currently trying to have it on the
14 site of what was Hingham Lumber. In the prior
15 permit application, we had it across the track,
16 adjacent to -- across the tracks from the Hingham
17 Lumber. We have now since purchased Hingham Lumber
18 and plan on building a station there.

19 Those are the two. There are a number
20 of smaller wetland changes that have been made
21 based on pulling back in design, implementation of
22 retaining walls, things like that. Significant
23 changes in the impact area so too many too small to
24 enumerate right here in the quick presentation.

1 As for the historic and cultural
2 resources, again, there were a number of design
3 changes that had been made to accommodate cultural
4 resources and minimize, avoid and mitigate the
5 impact to historic resources. The most significant
6 of which is the two: Here in Hingham, the addition
7 of an underpass, about an 800-foot underpass, to
8 avoid impacts to the historic district in downtown
9 Hingham, as well as what we refer to as the shadow
10 cut in Weymouth Landing by moving the Red Line, and
11 to time the application. It was at grade. We
12 considered building a viaduct to lessen traffic
13 impacts. We since moved it to a below ground,
14 shallow type, going under the Weymouth Landing
15 area.

16 Again, there are a number of other
17 smaller design changes on applications that were
18 made to accommodate or to avoid impacts to cultural
19 resources; and we are going through that design
20 process for continual identification of ways to
21 avoid and mitigate impacts of those properties.

22 At the end of the day, our current
23 application for the wetlands -- the federal
24 wetlands permit, we show an impact across the

1 18-mile project. We show an impact to federal
2 wetlands of just under three and a half acres,
3 about 3.41 acres of wetlands along the entire
4 project line.

5 We also have a more clear
6 identification of ways to mitigate those impacts,
7 including that we will be replicating, creating an
8 additional almost nine acres, 8.95 acres of
9 wetlands. We will be enhancing two and a half
10 areas of wetland that have some sort of tidal
11 restriction, or something like that, that prohibits
12 them from being fully realized. We will be
13 enhancing those.

14 We'll also do some about 16 acres of
15 wetland preservation and about just under two acres
16 of upland preservation. So we feel that we have,
17 in our proposal documentation, more than adequately
18 compensated for mitigative bordering wetland
19 impacts that are unavoidable in this project.

20 That said, a very quick summary of
21 things that changed since the last application. We
22 appreciate the Corps holding the hearing, and we
23 look forward to hearing your comments.

24 Thank you.

1 MODERATOR ROSENBERG: Thank you, sir.

2 Ladies and gentlemen, I would like to
3 briefly review the Corps of Engineers'
4 responsibility in this process. First, the Corps'
5 jurisdiction in this case is Section 404 of the
6 Clean Water Act, which regulates the discharge of
7 dredged or fill materials in waters to wetlands in
8 the United States. And Section 10 of the Rivers
9 and Harbors Act, which authorizes the Corps to
10 regulate certain structures or work in, or
11 affecting, navigable waters of the United States.

12 Second, the detailed regulations that
13 explain the procedures for evaluating permit
14 applications is Title 33, Code of Federal
15 Regulations, Parts 320 through 330, and that was
16 published on November 13th, 1986 in the Federal
17 Register.

18 And third, the Corps' decision rests
19 upon several important factors.

20 1. The Corps evaluates individual
21 permit applications for the discharge of dredged or
22 fill materials under the Section 404(b)(1)
23 guidelines of the Clean Water Act. These
24 guidelines, prepared by the Environmental

1 Protection Agency in consultation with the Corps,
2 are the federal environmental regulations for
3 evaluating the filling of waters and wetlands, and
4 are designated to avoid unnecessary filling.

5 2. The Commonwealth of Massachusetts
6 must issue or waive the requisite water quality
7 certification, and the Coastal Zone Management
8 Agency must certify that the work is consistent
9 with coastal zone policies.

10 3. The Corps of Engineers coordinates
11 compliance with related federal laws. These
12 include the National Environmental Policy Act, the
13 Endangered Species Act, and the Presidential
14 Executive Order 11988 regarding flood management.

15 Additionally, in accordance with the
16 National Historic Preservation Act, which provides
17 for full consideration of impacts on historic
18 properties, we will strive to avoid or minimize
19 effects on historic properties, and adhere to goals
20 of that statute and other applicable laws dealing
21 with historic properties.

22 Finally, the decision whether to grant
23 or deny a permit is based, in part, on a public
24 interest review of the probable impact of the

1 proposed activity and its intended use. This
2 review takes into consideration all comments
3 received and other relevant factors.

4 The hearing today will be conducted in
5 a manner that all who have the desire to express
6 their views will be given an opportunity to speak.
7 To preserve the right of all to express their
8 views, I ask that there be no interruptions. When
9 you came in, copies of both the public notice and
10 the procedures to be followed at this hearing were
11 available. If you did not receive these, they are
12 available in the reception area. I will not read
13 either the hearing procedures or the public notice,
14 but they will be entered into the record of this
15 hearing.

16

17

18 * * * * *

19

20 HEARING PROTOCOL

21

22 1. Corps of Engineers hearings are conducted in
23 accordance with Title 33, Code of Federal
24 Regulations, Part 327. The most recent edition of

1 these regulations was published in the November 13,
2 1986, Federal Register which is available at most
3 libraries.

4

5 2. Either the District Engineer or the Deputy
6 District Engineer (the two top ranking officials at
7 the New England District) normally serve as the
8 presiding officer at the hearing. When neither of
9 them is available to serve, the District Engineer
10 may designate another presiding officer.

11

12 3. The District Counsel or his designee serves
13 as the legal advisor to the presiding officer to
14 advise him on legal matters that may arise. The
15 Chief, Public Affairs or his designee serves as the
16 presiding officer's advisor on all aspects of
17 communication, media relations, local/regional
18 public involvement and interaction, and community
19 relations.

20

21 4. Any person may appear at the hearing on his own
22 behalf or maybe represented by counsel or by
23 another representative.

24

1 5. Hearings will be conducted orderly, but
2 expeditiously, by the presiding officer or hearing
3 moderator/facilitator.

4

5 6. After the opening remarks by the presiding
6 officer, time may be allowed for presentations
7 describing the proposed project.

8

9 7. After the presentations, elected and appointed
10 officials will be given an opportunity to present
11 their official comments regarding the proposed
12 project.

13

14 8. The general public will then have an
15 opportunity to make oral statements, present
16 written statements, make oral presentations and
17 make recommendations as to any appropriate
18 decision. Cross-examination will not be allowed.
19 All questions will be directed to the presiding
20 officer for the record. The hearing will continue
21 until everyone (who has requested) has had a chance
22 to speak. Exceptions to this protocol will be
23 decided by the moderator.

24

1 9. All comments, written and oral, receive equal
2 consideration (lengthy written statements should be
3 summarized orally and the entire written statement
4 submitted for the record).

5

6 10. The presiding officer may establish reasonable
7 time limites for (all) individual comments in order
8 to ensure all who have requested will have an
9 opportunity to speak on the record.

10

11 11. The hearing file will remain open for a period
12 to be determined by the presiding officer from the
13 date of the hearing for the submission of
14 additional statements.

15

16 12. The presiding officer shall have the power to
17 recess or suspend the hearing and, at the presiding
18 officer's discretion, reconvene it at a later date.

19

20 13. A transcript of the hearing will be prepared.
21 Copies may be purchased from the hearing reporter
22 of the Corps of Engineers. A copy will be
23 available for inspection at the New England
24 District headquarters in Concord, Massachusetts.

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MODERATOR ROSENBERG: The record of this hearing will remain open, and written comments may be submitted today through tonight, or by mail to our headquarters until October 25, 2003:

VOICES: April.

MODERATOR ROSENBERG: I'm sorry. April. Thank you. August. April 25th, 2003. How summer flies.

All written comments will receive equal consideration with the oral statements made today.

In order to make any decisions regarding this permit application, we, the United States Army Corps of Engineers, need to hear from you, the individuals most affected by this project.

Before we begin, I would like to remind you once again about the importance of filling out those cards, please.

Colonel Green, if there is no objection, I will now dispense with the reading of the public notice of this hearing and have it entered into the record.

* * * * *

PUBLIC NOTICE

The Massachusetts Bay Transportation Authority (MBTA) has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act to place fill material within a total of 7.81 acres of wetlands and waterways for the construction of the Greenbush Old Colony Railroad commuter line through the Towns of Braintree, Weymouth, Hingham, Cohasset, and Scituate, Massachusetts. Construction will include installing approximately 18 miles of rail line and seven new commuter rail stations and an end of the line layover facility. Total permanent and temporary wetlands and waterway impacts within Corps jurisdiction associated with the proposed work are as follows: 3.41 acres (148,575 square feet) of permanent impact wetlands, 4.02 acres (175,272 square feet) of temporary impacts to wetlands, 0.082 acres (3,571 square feet) of permanent impact to waterways, and 0.30

1 acres (12,979 square feet) of temporary impacts to
2 waterways. The wetland and waterway areas to be
3 filled are located by station number on the
4 attached locus maps numbered 1 through 5 and
5 further described on the attached table entitled
6 "TABLE B1, SUMMARY OF WETLANDS IMPACTS BY TOWN."
7 More detailed project plans entitled "OLD COLONY
8 REHABILITATION, GREENBUSH LINE" on 132 sheets dated
9 November 6, 2002 are available upon request.

10 In April of 1997 the MBTA first
11 submitted a permit application for this proposed
12 work and a public notice was issued May 6, 1997.
13 The MBTA subsequently has modified the project and
14 submitted a revised permit application that is the
15 subject of this current public notice.

16 Numerous alternatives as identified in
17 the attached Table A-1 were considered and six of
18 those alternatives were evaluated in greater detail
19 in order to ensure that all feasible means to avoid
20 damage to the environment were considered, and that
21 unavoidable damage to the environment was minimized
22 and mitigated to the maximum extent practicable.

23 The six major alternatives considered in the
24 Greenbush corridor for transportation improvements

1 were: 1) No-Build; 2) Transportation System
2 Management (TSM); 3) Commuter boat service with
3 expanded Hingham terminal and feeder bus service;
4 4) Commuter bus service with expanded Hingham
5 terminal and new terminals in Nantasket and/or
6 Quincy with feeder bus service alternatives;
7 5) Commuter rail service entirely at-grade; and
8 6) Commuter rail service including a tunnel under
9 Hingham Square.

10 The project purpose for the restoration
11 of the Greenbush Line of the Old Colony Railroad
12 is:

- 13 * To meet the Greenbush Line corridor's needs
14 for transit services;
- 15 * To reverse the growing isolation of the
16 Greenbush Line corridor;
- 17 * To increase mobility by increasing transit
18 capacity, ridership, accessibility,
19 reliability, and comfort;
- 20 * To reduce transit travel time and traffic
21 congestion;
- 22 * To alleviate the burden on existing roadway
23 and transit facilities and services, such
24 as parking facilities, the Red Line system,

- 1 Route 3, and the Southeast Expressway;
- 2 * To reduce fuel consumption and air
- 3 pollution;
- 4 * To provide cost-effective transit services
- 5 by maximizing the use and capacity of
- 6 existing facilities and maximizing the
- 7 natural advantages of each mode of
- 8 transportation within a multi-modal
- 9 approach to transportation improvements;
- 10 * To help the regional Intermodal
- 11 Transportation Systems (ITS) program to
- 12 achieve improvements in air quality,
- 13 including specific commitments to provide
- 14 rail service (or transit service with
- 15 equivalent ridership) in the Greenbush
- 16 Corridor. This commitment is part of the
- 17 Commonwealth's Federally-approved State
- 18 Implementation Plan pursuant to the Federal
- 19 Clean Air Act and the state's mitigation
- 20 agreement for the Central Artery Project.
- 21 * To ameliorate inequities in the existing
- 22 Boston metropolitan area transportation
- 23 system by increasing services in the now
- 24 poorly served Greenbush Line corridor and

1 by increasing access for disabled
2 individuals or individuals with special
3 needs.

4 The MBTA has developed a Wetland
5 Mitigation Plan to replace lost wetlands functions
6 and values of areas impacted by the Project. The
7 mitigation sites are described further in the
8 attached Table B-2 SUMMARY OF WETLAND MITIGATION
9 MEASURES and the locations are noted on the
10 attached locus maps numbered one through five.
11 Restoration and replication areas have been
12 designed to compensate for th wetlands functional
13 values lost or impaired by the proposed wetlands
14 impacts. The overall mitigation goal is to provide
15 mitigation to impact ration of 2:1.

16 This project will impact Essential Fish
17 Habitat (EFH) for smelt, herring and alewife. This
18 habitat consists of tidally influenced streams
19 including Town Brook in Hingham and Smelt Brook in
20 Weymouth. Loss of this habitat may adversely
21 affect spawning and anadromous fish runs for smelt,
22 herring and alewife during construction however
23 time of year restrictions have been proposed to
24 minimize impacts. With the inclusion of the time

1 of year restrictions, the District Engineer has
2 made a preliminary determination that the
3 site-specific adverse effect will not be
4 substantial. Further consultation with the
5 National Marine Fisheries Service regarding EFH
6 conservation recommendations is being conducted and
7 will be concluded prior to the final decision.

8 In order to properly evaluate the
9 proposal, we are seeking public comment. Anyone
10 wishing to comment is encouraged to do so.
11 Comments should be submitted in writing by the
12 above date. If you have any questions, please
13 contact Ted Lento at (978) 318-8863, (800) 343-4789
14 or (800) 362-4367, if calling from within
15 Massachusetts.

16 Any person may request, in writing,
17 within the comment period specified within this
18 notice, that a public hearing be held to consider
19 the application. Requests for a public hearing
20 shall specifically state the reasons for holding a
21 public hearing. The Corps holds public hearings
22 for the purpose of obtaining public comments when
23 that is the best means of understanding a wide
24 variety of concerns from a diverse segment of the

1 public.

2 Crystal I. Gardner
3 Chief, Permits & Enforcement Branch
4 Regulatory Division

5

6 * * * * *

7 MODERATOR ROSENBERG: A transcript of
8 this hearing is being made to assure a detailed
9 review of comments. A copy of the transcript will
10 be available at our Concord, Massachusetts
11 headquarters for review. It will also be on our
12 website, and a card is available at the reception
13 area with that link, or you may make your own
14 arrangements with the stenographer for a copy at
15 your expense.

16 When making a statement, please come
17 forward to one of the microphones. State your name
18 and the interest you represent. Now, as there are
19 many that wish to provide comments this afternoon,
20 you will be provided three minutes to speak, no
21 more.

22 The traffic signal that is in front
23 will indicate the following: The green light will
24 come on indicating that there are two minutes

1 remaining; the amber light will indicate one
2 minute; and the red light will indicate that the
3 time has expired.

4 Please identify who you're speaking
5 for, or representing the position of an
6 organization. If you're speaking for yourself,
7 please say so. I want to emphasize that all who
8 wish to speak will have an opportunity to do so.

9 Now, for your convenience, a
10 stenographer is also available in the reception
11 area should you wish to dictate a statement for the
12 record, rather than making a formal presentation.
13 Now, remember, these are limited to three minutes
14 here. There are no time limits with the -- the
15 stenographer in the reception area.

16 These statements, along with any
17 written statements submitted by April 25th, 2003,
18 will receive equal consideration with those
19 presented at the microphones today.

20 Now, we will now begin to receive your
21 comments according to our hearing protocols. There
22 is one change to that protocol. The towns that are
23 impacted have consultants. We will be asking those
24 consultants to follow the local agencies, and they

1 will also be limited to the three-minute standard.

2 Again, oral and written statements will
3 receive equal consideration in our decision;
4 therefore, if you have a lengthy statement,
5 summarize it, take the three-minute limitation, and
6 then submit the entire statement for the record, or
7 Ann Marie, or the stenographer in back.

8 The first individual to provide comment
9 is Mr. James Clarke from the Town of Weymouth, and
10 he will be followed by Shawn Harris.

11 JAMES CLARKE: Thank you. Jim Clarke.
12 I'm attorney of record for the Town of Weymouth.

13 The Town of Weymouth thanks you for the
14 opportunity to present testimony before you today
15 regarding the seven outstanding elements identified
16 of the Greenbush Section 106 program and its
17 agreement.

18 I understand that our comments made at
19 the February 5th meeting in Hingham and our written
20 materials submitted on February 19th are part of
21 the record, and will be referenced in your
22 evaluation of the MBTA's submittal and responses.
23 I will, therefore, have some brief comments, and
24 Wendy Frontiero, a consultant hired by Weymouth

1 will follow with a statement.

2 We support the concern that the MBTA
3 has determined not to use the four-quadrant gates
4 at grade crossings to the National Register
5 districts. The use of these gates is more in
6 keeping with the historic attributes of these
7 areas, such as narrow road pavement, hedges and
8 fences hugging the roadway, and landscaped front
9 yards to provide a context for the historic
10 structures. It is the town's opinion that these
11 gates are safe. We believe that at a minimum, the
12 MBTA should review these crossings individually and
13 make a specific determination as to the
14 applicability of the use of four-quad gates at that
15 crossing.

16 The use of two gates at the median
17 barrier have more adverse impacts on historic sites
18 as four-quadrant gates. The four foot median
19 barrier with road pavement changes the whole
20 setting of these historic areas. At the Unicorn
21 Ave. grade crossing, which has been the Commercial
22 Street and National Register eligible area, the
23 existing pavement with the 22 feet will be expanded
24 to 32 feet from curb to curb. Hedges will be

1 removed in the front yards of some historic homes
2 and visually and physically reduced.

3 In addition, a proposed six-foot
4 sidewalk on the south side of the road will further
5 impact the historic setting. This is an area where
6 the MBTA should have provided detailed analysis of
7 the impacts of the different treatments proposed
8 for the crossing.

9 Success for both the town and MBTA will
10 occur, if and only if planning stations are laid
11 out and designed to compliment and enhance the
12 historic character of the area. As one of the four
13 historical centers of Weymouth, the Landing helps
14 to define the character of the Town of Weymouth.

15 The additional historic structures that
16 we have identified strengthen our claim that this
17 area's historic needs are requested. A well
18 designed space with proper landscaping and use of
19 appropriate materials, such as granite, parking in
20 three locations, a pedestrian walkways will entice
21 people to walk to the station, shop at the
22 businesses located in the Landing.

23 We are encouraged that you have heeded
24 our requests for a consultation on Weymouth Landing

1 so that you may discuss necessary issues and hear
2 your comments. We believe that a consultation of
3 all parties will provide for a thorough review of
4 issues in dispute, and help us to resolve our
5 concerns and move this project forward.

6 It is critical that we hold this
7 consultation to get input from Army Corps and
8 Mass. Historic Commission on these design elements
9 that can make the station a success.

10 Thank you for the opportunity to
11 comment.

12 MODERATOR ROSENBERG: Thank you, sir.

13 The next speaker is Shawn Harris.

14 Mr. Harris will be followed by James
15 Pollard.

16 SHAWN HARRIS: Good afternoon. My name
17 is Shawn Harris, Scituate Board of Selectmen.

18 For all the parties attending today, I
19 would like to take a few minutes to talk about the
20 design/build process as it relates to Scituate, and
21 probably some of the other towns. The design/build
22 process may be the most efficient for the project
23 proponent, but it is causing great difficulty for
24 us.

1 As you probably know, the town receives
2 60 percent design package, followed by a 90 percent
3 design package. We then have 30 days to comment
4 after receiving one of these design packages. I
5 should add that in some cases, 30 days is very
6 little time for a thorough review and comment.

7 When we receive a new design, that
8 package includes only one element. For example, we
9 might get a track -- excuse me -- a track profile
10 package or a grading and drainage package. No
11 other detail is provided in that set of plans. It
12 is nearly impossible to know how one element
13 interacts with another. We cannot superimpose one
14 plan over another to see what we are really looking
15 at. Once we have commented on, say, a 60 percent
16 design package for one element, we don't know if
17 changes will be made at the 90 percent design.
18 More plans come in for different elements, and we
19 can't assess the new plans, because we don't know
20 what changes may be made in those we've already
21 reviewed.

22 The Conservation Commission has -- is
23 at a great -- a tremendous disadvantage in trying
24 to review the plans. Wetlands delineations and

1 impacts are not included in these designs.

2 One of the most important elements,
3 landscaping, will be among the last plans we will
4 review. Without seeing the proposed mitigation for
5 our historic districts while reviewing these
6 individual plans, it is difficult to make
7 meaningful comments.

8 We hope the Army Corps will look at
9 this process again. The town is at a distinct
10 disadvantage in trying to ensure that this project,
11 which has enormous consequences to us, will meet
12 our local needs.

13 Thank you.

14 MODERATOR ROSENBERG: Thank you, sir.

15 The next speaker, James Pollard,
16 followed by Richard Lane.

17 JAMES POLLARD: Good afternoon. I'm
18 Jim Pollard. I'm also a member of the Scituate
19 Board of Selectmen. I am representing the
20 residents of Scituate.

21 I think we would all agree that public
22 safety must be the number one priority in our
23 assessment of the return of the Greenbush line.
24 The grade crossings associated with this project

1 are particularly important as we proceed with the
2 design.

3 The MBTA, in their opinion, has
4 determined they will not consider the use of
5 four-quadrant gates for the crossings, as they are
6 unproven and unsafe. We, in the Town of Scituate,
7 emphatically disagree with that determination.

8 Three to five grade crossings within
9 the Town of Scituate will be greatly impacted by
10 the use of median barriers. North Scituate
11 Village, part of the Gannett's Corner Historic
12 District, is our business district. Restricting
13 access to the businesses will cause economic
14 hardship. This location is heavily used by
15 pedestrians.

16 The eastern intersection is located at
17 the convergence of four historic districts.
18 Roadway widening across from two National Register
19 eligible structures to accommodate the median
20 barriers will significantly reduce the ability to
21 visually screen these structures. A small general
22 store is located on the corner, and it is the
23 destination of many young children during the
24 summer months.

1 A crossing at First Parish Road
2 intersection is in close proximity to the Scituate
3 Fire Headquarters. Our Fire Chief, Mr. Ed Hurley,
4 will speak about the concerns he has about the use
5 of barriers at this location.

6 The Yenetchi House, a National Register
7 Eligible Victorian, is directly adjacent to the
8 rail bed, and a small business located near the
9 crossing will have its access restricted.

10 In its determination, the MBTA "has
11 established medians as a de-facto standard
12 requirement for new grade crossings." We disagree
13 with that the MBTA should make this unilateral
14 decision without full discussion of the
15 alternatives. Each intersection should be
16 evaluated with an emphasis on public safety,
17 historic district consequences, and with access
18 issues fully explored.

19 The Federal Railroad Administration can
20 approve waivers for crossings. We believe that the
21 MBTA should advocate the best crossing treatment
22 available, which will reduce impacts to our
23 historic resources and wetlands, which can still
24 provide for the public safety, and seek waivers if

1 necessary. Simply making a blanket decision to use
2 median barriers without looking at the alternatives
3 is not appropriate.

4 On behalf of the Town of Scituate, we
5 thank the Army Corps of Engineers for taking the
6 time to hear our concerns.

7 MODERATOR ROSENBERG: Thank you, sir.

8 The next speaker, Richard Lane, will be
9 followed by Richard Agnew.

10 RICHARD LANE: Good afternoon. My name
11 is Rich Lane with the Scituate Board of Selectmen.

12 I would like to address the issue of
13 air quality. While we recognize that the
14 Old Colony Line was originally part of an agreement
15 reached to reduce air pollution for the Boston
16 region, we would like the Army Corps to recognize
17 the impacts to our community.

18 We don't dispute the MBTA assertion
19 that air quality will be improved for this region.
20 We do think it is important to point out that there
21 will be a reduction in quality locally.

22 The Town of Scituate will bear the
23 brunt of the impacts, since we are slated to be the
24 end of the line with two stations and a layover

1 facility. In the early morning, locomotives each
2 idle for 45 minutes to prepare for departure. The
3 layover facility is located directly adjacent to
4 our Greenbush Historic District, a residential
5 neighborhood, and the marshes along the North River
6 Corridor. The pollutants generated from these
7 locomotives will affect both areas.

8 The two stations are designed in such a
9 manner that they do not encourage pedestrian
10 access. Sidewalks to densely populated areas have
11 not been included in the design, and even Scituate
12 residents will most likely drive to the stations,
13 instead of walking along the roadways.

14 The Town of Scituate has two specific
15 requests with regard to this issue. First, the
16 MBTA should do whatever is possible to reduce the
17 air quality impacts to our town, whether that
18 includes shorter idling times, encouraging
19 pedestrian access, or doing whatever is necessary
20 to alleviate spewing automobile emissions. Second,
21 there should be a long-term monitoring program for
22 the protection of the marshes and the natural
23 resources in the vicinity. The coastal environment
24 in Scituate is fragile, and safeguarding this

1 habitat is extremely important.

2 The town appreciates the involvement of
3 the Army Corps, and we are looking forward to your
4 to help with respect to our community.

5 Thank you.

6 MODERATOR ROSENBERG: Thank you, sir.

7 The next speaker, Richard Agnew,
8 followed by Paul Reidy.

9 RICHARD AGNEW: Thank you. My name is
10 Richard Agnew. I am the Town Administrator in
11 Scituate, and I appreciate the opportunity to speak
12 to you today.

13 I would like to talk about, just
14 briefly, the review process, some of which has been
15 eluded to by Selectman Harris.

16 We have had numerous sets of plans
17 dumped on the Town of Scituate, as with every other
18 town along the corridor. We have been given 30
19 days to review these plans. That is totally
20 unacceptable and totally insufficient time for us
21 to do so. We're all small towns in this corridor.
22 We don't have the staffing level that the cities
23 would have, or some of the other areas would have
24 to do this. We have to go out and hire our own

1 consultants. No money has been furnished to us by
2 the MBTA, or by the Commonwealth of Massachusetts
3 to help review it. We have not appropriated money
4 for this process through Town Meeting; so,
5 therefore, we have had to actually forego projects
6 in the town by using that money to review these
7 processes.

8 Again, going back to the time review,
9 most of these plans have been -- 30 days is nowhere
10 near the amount of time that we need, especially
11 with regard to the sewer plan that we had to
12 review, which is running a main sewer line under
13 the rail bed. We have been reviewing that now for
14 six months.

15 So I would hope that the Corps would
16 help extend that review period of time, or at least
17 when we do finally get our review comments in,
18 final review comments in on such as the sewer plan,
19 that the Corps and the state will take that into
20 consideration.

21 Thank you very much.

22 MODERATOR ROSENBERG: Thank you, sir.

23 Next speaker, Paul Reidy. He will be
24 followed by Joe Norton.

1 PAUL REIDY: Good afternoon. I'm Paul
2 Reidy. I am with the Scituate Board of Selectmen,
3 and I'm here to talk about the roundabout down on
4 the Greenbush corridor.

5 The Town of Scituate is grateful for
6 the opportunity to discuss some of the unresolved
7 issues that impact us. We have been waiting for a
8 very long time to see some detail of a roundabout
9 that is being proposed for the intersection of
10 Route 3A, the Driftway, Country Way, Cornet
11 Stetson, which is Route 123, and Old Oaken Bucket
12 Road.

13 I should also note this is the location
14 of a battle during King Phillips War, and Route 3A
15 once served as the main road to Cape Cod. The
16 roundabout will be located within the Greenbush
17 Historic District.

18 We hope that the Army Corps will look
19 carefully at any plans in this area, as it is in
20 close proximity to Old Oaken Bucket Pond, the
21 town's water supply.

22 Our understanding is that the
23 roundabout plan was submitted to Massachusetts
24 Highway Department last October, and it has yet to

1 be approved. We are concerned about the concept of
2 a rotary in general. It seems odd that we would be
3 discussing a rotary, since others are being
4 removed. As an example, we reference the Cape Cod
5 rotary on Route 3. The new roundabout at Route 14
6 has already been modified due to its
7 ineffectiveness.

8 The morning and evening traffic on
9 Route 3A is very heavy. Queuing of traffic seems
10 inevitable at this location. Some time back, the
11 town's traffic consultant expressed concern about
12 automobile safety with a two-lane rotary with its
13 many exit points. The level of service may be
14 slightly improved as it relates to keeping traffic
15 moving. We have unofficial word from the Mass.
16 Highway Department that safety is a concern, and
17 they may not approve the concept.

18 From a historic standpoint, our staff
19 is determined that there will be some 72 signs
20 associated with traffic movements. Obviously, we
21 are very concerned about impacts to the historic
22 district. At this time, we do not have a
23 60 percent design plan for the intersection, and we
24 wonder how the impacts of this plan can be

1 minimized.

2 The town has several infrastructure
3 projects in the planning stages at this site, and
4 we have been unable to proceed while the MBTA
5 plan -- while their plan is being developed.

6 The roundabout is one of seven
7 outstanding issues from the Section 106
8 Consultations, and we believe it deserves far more
9 discussion prior to any approvals.

10 Thank you very much.

11 MODERATOR ROSENBERG: Thank you, sir.

12 The next speaker, Joe Norton, followed
13 by Chief Edward Hurley.

14 JOE NORTON: Thank you. My name is Joe
15 Norton, and I also am a member of the Scituate
16 Board of Selectmen, and I have been for 20 years,
17 and I am currently the Chairman.

18 Thank you for not only the opportunity
19 of coming down here today, but showing us the
20 consideration by letting us speak here today, and
21 instead of going to Concord. We appreciate that.

22 The Town of Scituate signed a
23 mitigation agreement with the MBTA, and I was asked
24 to speak on that agreement today. And at first, I

1 thought that would be an extremely difficult topic
2 to speak to, but as I thought about it, it became
3 more and more easier, and that is because it
4 appears that we added to the MBTA original
5 mitigation agreement.

6 The signs -- the Town of Scituate
7 signed this agreement in good faith; and despite
8 what I may say, there is a great deal of opposition
9 and a great deal of concern for many of the
10 residents of Scituate. We signed it, because we
11 thought we were doing the best thing for the Town
12 of Scituate. We signed it in good faith. We now,
13 it appears, find out that the MBTA signed it not in
14 good faith.

15 The mitigation measures that we agreed
16 to are now being ignored by the MBTA. I can
17 understand a change in the document, or even two
18 changes. That is understandable. But I tell you
19 here today that we would not have signed this
20 agreement had we had known the number of
21 discrepancies between the agreement we signed and
22 the plans we're looking at today.

23 We found, in the early stages of the
24 design that there are over a dozen items that are

1 spoken through that agreement and now are either
2 being changed or completely ignored by the MBTA as
3 they proceed with this project. Some of the
4 discrepancies you will hear from other speakers,
5 but I would like to mention a few now.

6 The elimination of certain walkways,
7 Section 6.1 -- 6.4, are not only refusing, but
8 dangerous. The elimination of the Beaver Dam
9 warning sign is a very, very, very dangerous
10 situation, safety situation. The lack of interior
11 landscapes in the parking lot that was agreed to,
12 but now is being ignored. I have to find it so
13 ironic that we have this wonderful warning device
14 here telling us how much time we have to speak, but
15 we can't get the MBTA to put a warning device on a
16 very, very dangerous road in Scituate.

17 Ladies and gentlemen, I can understand
18 a change or two. Those things happen. But when
19 people sign documents that they have no intention
20 of adhering to, then in my honest opinion, that's
21 criminal.

22 So far the agreement, there is too many
23 flaws. So many flaws that we now have legal
24 counsel looking at it again. What we signed is not

1 what we have.

2 Thank you very much. Thank you for
3 hearing me.

4 MODERATOR ROSENBERG: Thank you, sir.

5 (Applause.)

6 MODERATOR ROSENBERG: Our next speaker,
7 Chief Edward -- is it Hurley or Hurby?

8 FIRE CHIEF EDWARD HURLEY: Hurley.

9 MODERATOR ROSENBERG: Hurley. From the
10 Scituate Fire Department, and he will be followed
11 by Fred Fraini from the Federal Railroad
12 Administration.

13 CHIEF EDWARD HURLEY: Good afternoon.
14 I am Ed Hurley. I am the fire chief for the Town
15 of Scituate.

16 The restoration of the Greenbush
17 Commuter Rail continues to pose a number of
18 potentially serious problems with the Scituate Fire
19 Department.

20 The MBTA is not charged with providing
21 overall public safety for the people of Scituate.
22 The T's focus is on reducing any exposure that the
23 agency may have resulting from the operation of the
24 commuter rail through the town.

1 One significant problem is the impact
2 on our headquarters station at 149 First Parish
3 Road. This station abuts one of the grade
4 crossings in the Town of Scituate. The ability to
5 turn left and travel westerly on First Parish Road
6 is absolutely essential to a timely response for
7 apparatus leaving this station. The Department
8 runs an engine company and the town's single ladder
9 truck from this station. Also, the Incident
10 Commander and the town's ambulance respond from
11 this station. A commuter train crossing First
12 Parish Road at the same time as a response westerly
13 of the headquarters station will result in a
14 minimum delay of three to five minutes. Without
15 exaggeration, this delay can mean the difference
16 between life and death.

17 Both the American Heart Association and
18 the National Fire Protection Association have
19 established standards for response times that are
20 critical to the delivery of Emergency Medical
21 Services and fire suppression to an incident. Any
22 delay at all, even one of several minutes, can be
23 critical for paramedics trying to reach a patient.
24 A delay of several minutes can make a difference

1 between a successful stop by firefighters and a
2 condition known as "flashover" that consumes an
3 entire room and contents within seconds.

4 Fire department right-of-ways over
5 automobile and truck traffic at this grade crossing
6 is essential. The system of median barriers and
7 pre-signaling that has been proposed with the
8 60 percent drawings is not a viable solution. The
9 current plan placing 60- to 100-foot concrete
10 median barriers on First Parish Road and at other
11 crossings will create a problem for the fire
12 department. These barriers are four feet wide.
13 When traffic stacks up between these barriers and
14 the edge of the roadway, emergency vehicles will be
15 unable to pass. This will be further complicated
16 when snowplows can't clean to the edge of the
17 median barrier, making the road even more narrow.

18 I realize that if the rail line is
19 built, some delay in response time is inevitable,
20 and we will have to deal with it. The question is
21 how to minimize this anticipated delay.

22 I propose the installation of quad
23 gates without median barriers as the best solution
24 to the problem at the First Parish Road crossing.

1 It will allow emergency apparatus to line up on the
2 left side of the road and be the first vehicles
3 through the crossing after the train passes. This
4 can save critical minutes.

5 In fact, this is the recommendation for
6 all grade crossings in the Town of Scituate.
7 Having different procedures at different grade
8 crossings is confusing. One set procedure to be
9 followed at every crossing is in the best interest
10 of public safety for the town and its residents.

11 MODERATOR ROSENBERG: Thank you, sir.
12 Thank you.

13 Our next speaker is Fred Fraini from
14 the Federal Railroad Association, to be followed by
15 Joseph Fisher.

16 FRED FRAINI: Thank you very much, sir.
17 My name is Fred Fraini. I'm the Assistant Crossing
18 Trespass Regional Manager from the Federal Railroad
19 Administration, and our region consists of all of
20 New England, New York and New Jersey.

21 It's my hope to testify today to try to
22 clear up any misunderstandings that may be present
23 concerning the proposed rule to regulate locomotive
24 train horns at grade crossings.

1 It's important to understand now that
2 currently there are no federal regulations
3 governing train horn use at grade crossings in the
4 Commonwealth of Massachusetts, or throughout the
5 country. Right now, that is currently governed by
6 state law and railroad operating rules and
7 practices.

8 There is a proposed regulation that the
9 FRA is working on that should, and I emphasize
10 should come out sometime for before the end of the
11 year. And that was my short comment, and I hope
12 that my testimony added to -- to this event.

13 Thank you.

14 MODERATOR ROSENBERG: Thank you, sir.

15 The next speaker is Joseph Fisher, who
16 will be followed by Allan Mayberry Greenberg.

17 JOSEPH FISHER: Hi. My name is Joe
18 Fisher. I'm a resident of the Town of Hingham.
19 I'm an attorney, and I'm also Chairman of the
20 Hingham Conservation Commission. And I'm speaking
21 to you today in my capacity as a Conservation
22 Commissioner.

23 The Conservation Commission is the
24 environmental voice and conscience of the Town of

1 Hingham. We are responsible for administering the
2 Massachusetts Wetlands Protection Act with respect
3 to all proposed activity occurring within the Town
4 of Hingham.

5 The Conservation Commission believes
6 that wetland resources are vital to safeguard,
7 because they help prevent storm damage, reduce
8 flooding, protect groundwater, prevent pollution,
9 support fish and shellfish, and provide wildlife
10 habitat. The work proposed by the MBTA for the
11 Greenbush Rail situation involves significant
12 impacts in many areas of Hingham, including the
13 following impacts: Approximately 24,000 square
14 feet of bordering vegetative wetlands, over
15 7,100 square feet of salt marsh, over 4,000 square
16 feet of land under water, over 160 linear feet of
17 bank, 6,500 square feet of bordering land subject
18 to flooding, to fill in approximately 1,900 square
19 feet of vernal pool habitat, and the alternation of
20 over 3,300 linear feet of a fish run.

21 As the Army Corps assesses the
22 potential consequences of the proposed permit
23 decision, the Conservation Commission of Hingham
24 believes that it will not be possible for the Army

1 Corps to make a finding of no significant impact,
2 and we say that for two reasons:

3 First, because of the sheer volume of
4 environmental disturbance, which includes
5 destruction of wetlands that are in close proximity
6 of the Weir River, the destruction and permanent
7 loss of vernal pool habitat and the effects on rare
8 and endangered species.

9 From what we know about the project,
10 the environmental impacts will be significant, and
11 the record is replete with demonstrations that
12 establish those impacts.

13 Which leads me to the second reason we
14 believe that the Army Corps should not proceed with
15 this, and that is that the Army Corps has not been
16 given enough information about this project to
17 issue a permit, and to let it move forward.

18 The MBTA, unfortunately, has failed to
19 present sufficient information to properly describe
20 the site where the MBTA will be working, to
21 describe the actual work it will be performing, or
22 the full effects of its work on important
23 environmental interests. Indeed, the Hingham
24 Conservation Commission is currently moving forward

1 with this motion for summary decision before an
2 administrative law judge at the Mass. Department of
3 Environmental Protection to nullify the variance
4 that was issued by the DEP for this project.

5 The failure to this project -- the
6 failure for the project's lack of information here,
7 the failure to provide adequate information to the
8 Army Corps and to the Conservation Commission, is
9 because Greenbush is proceeding upon the
10 design/build basis, and you've heard, and will hear
11 from other speakers, about the problems with that
12 process.

13 Thank you.

14 MODERATOR ROSENBERG: Thank you, sir.

15 The next speaker, Allan Mayberry
16 Greenberg.

17 Ladies and gentlemen, this hearing is
18 conducted in a manner that all who desire to speak
19 will express their views given that opportunity.
20 To preserve that right for all to express their
21 views, I ask for no interruptions.

22 Our next speaker is Allan Mayberry
23 Greenberg. He will be followed by Ann Burbine of
24 the Scituate Planning Board.

1 ALLAN MAYBERRY GREENBERG: Thank you
2 for this opportunity to speak today. My name is
3 Alan Mayberry Greenberg. I am Chairman of the
4 Scituate Conservation Commission.

5 The Scituate Conservation Commission
6 denied the project, as was anticipated, for a
7 variety -- for a number of reasons; one which has
8 already been spoken to by Scituate speakers, as
9 well as others, is the lack of adequate information
10 to make a full review of the project.

11 The Scituate denial cited lack of
12 information, and the concerns related to that will
13 remain until a variance is issued by the Department
14 of Environmental Protection, and we are able to see
15 the final resolution of matters concerned. These
16 include, among others, the manner in which the
17 independent observer is to function, including that
18 person's lines of responsibility; the
19 implementation of habitat-related recommendations
20 made by good law associates, which cannot be
21 evaluated because, for example, we have plans
22 indicating wildlife crossings, which are not placed
23 in any context as to how they relate to wetlands,
24 vernal pools and culverts.

1 The result being that it is conceivable
2 that implementation will be meaningless. One
3 specific instance involves what was to be a dropped
4 culvert just north of the Beaver Dam Road crossing
5 in Scituate where there are wetlands on both sides
6 and critter crossings, which may or may not be
7 appropriately placed, because crossings are not
8 cited in relation to the culverts.

9 Moreover, the most recent design we
10 have seen showed a change in the drop culvert, and
11 we had no idea if the new proposal will be
12 effective.

13 And we have not yet seen NACSB's
14 response to the proposed litigation for wildlife
15 habitats and vernal pools, 6,600 square feet of
16 which will be affected in Scituate.

17 The proposed parking lots and runoff
18 treatment struck us as being entirely inadequate.
19 Although the letter of the law exempts the North
20 Scituate agrees with the parking lot from
21 classification as commercial parking lots with high
22 intensity use, and thus being seen as areas
23 involving land use with higher potential
24 pollutants.

1 The nature of the area adjacent to the
2 parking lot should be treated as such. One of the
3 parking lot abuts the town brook, a potential and
4 fish run, and the town has been working on a plan
5 to restore fish ladders, and such ladders will be
6 affected.

7 The other parking lot, the runoff from
8 the other parking lot enters the First Herring
9 River, which is a shellfish area, making this also
10 a very sensitive area.

11 When the various parking lots in both
12 locations are combined, the number of trips exceeds
13 the threshold. Moreover, the DMPs that have been
14 proposed do not deal with particle sizes smaller
15 than 150 microns, which is considered a common
16 runoff component in urban runoff, which is the type
17 of runoff that will occur from these parking lots.

18 There are other concerns related to
19 hazardous materials, groundwater monitoring and
20 matters of that sort.

21 Thank you for the opportunity to speak.

22 MODERATOR ROSENBERG: Thank you, sir.

23 The next speaker, Ann Burbine, followed
24 by Kristina Patterson.

1 ANN BURBINE: Thank you for this
2 opportunity. My name is Ann Burbine, and I am
3 Chairman of the Scituate Planning Board, and the
4 Planning Board would like to have the following
5 concerns considered with respect to implementation
6 of the MBTA Greenbush extension: Create a truly
7 multimodal service. Rather than depend entirely on
8 commuters to arrive at the rail by automobile,
9 facilities should encourage cyclists and
10 pedestrians first (lowest impact users), then those
11 on local transit (vans and busses), and finally
12 automobiles as a final resort.

13 There is an urgent need for extensions
14 of sidewalks into neighborhoods with high
15 pedestrian counts, and more connections between T
16 parking and platforms, which both can easily be
17 justified environmentally in terms of air quality.

18 The villages of North Scituate and
19 Greenbush will be economically affected with the
20 loss of business and commercial zoned --
21 commercially zoned land. This issue needs to be
22 addressed, especially in Greenbush where a 16-foot
23 wall will basically cut the village in half.
24 Mitigation must be in place to offset this impact.

1 In North Scituate, median strips will
2 make storefront parking all but impossible, not to
3 say deliveries to these stores. Quad gates would
4 eliminate the need for these barriers, and thus
5 lessen the impact on North Scituate businesses.

6 The increase in traffic, the extreme
7 size of the parking lots and the noise mitigation
8 wall will be completely out of character with the
9 small scale of development in North Scituate and
10 Greenbush.

11 The train will stimulate residential
12 development in the villages, which are likely to
13 have an associated increase in commercial
14 development. There will be an area of issues that
15 will have to be addressed with regard to the
16 ultimate growth and design of these two villages.

17 Landscaping and lighting of an
18 appropriate scale are critical to maintain some
19 small vestige of the villages' attractive small
20 town character.

21 This corridor could set a standard for
22 transportation efficiency and environmental
23 sensitivity for the MBTA in the 21st century.
24 Please take this opportunity to make it such a

1 model for the region. We would be delighted to
2 assist you in such work.

3 Thank you.

4 MODERATOR ROSENBERG: Thank you, ma'am.

5 The next speaker, Kristina Patterson,
6 will be followed by Michael Rademacher.

7 KRISTINA PATTERSON: Hello. My name is
8 Kristine Patterson. I am speaking to you as the
9 ombudsman for the Town of Cohasset.

10 The Town of Cohasset has expressed
11 concern with regard to the following grade
12 crossings proposed by the Greenbush line. These
13 concerns include areas of environmental, historic
14 preservation and safety significance that need to
15 reduce the impact by the use of quad gates. These
16 crossings include Sawyer Street Crossing, and this
17 crossing is heavily utilized by pedestrians.
18 Facilities are accessed by Sawyer Street, and these
19 include the Osgood and Deer Hill Schools, the
20 public library, the swim center and the South Shore
21 Music Circus.

22 Spring and Pond Street. This crossing
23 actually has been redesigned by the consultants,
24 and if this new design is accepted, this crossing

1 will no longer represent an environmental and
2 safety hazard, but to date we have no recognition
3 of receipt of this proposed change.

4 With this new design, the pedestrian
5 traffic initially here will be redirected.

6 Pleasant Street crossing, this central
7 intersection that Cohasset Village presently has.
8 We will continue to have a large affect on traffic.
9 The use of the median strips would required
10 widening of the road, and would adversely impact
11 the aesthetics of this historic district.

12 The Town of Cohasset is currently
13 undertaking a revitalization of Cohasset Village,
14 and this would impact the beautification prospect
15 as well as adjacent businesses and proposed impacts
16 to wetlands.

17 Finally, Beechwood Street, our concerns
18 with Beechwood Street, No. 39, which is a historic
19 property in Cohasset, the residents are fearful
20 that the road widening and inclusion of a median
21 strip will be an impediment to their safety. By
22 diverting their driveway at a crossing, this would
23 also require filling in an area of wetland.

24 In conclusion, the Town of Cohasset

1 would like to concur with the other towns along the
2 Greenbush line that each crossing needs to be
3 addressed separately as to the potential negative
4 impacts by the use of quad gates.

5 Thank you for the opportunity.

6 MODERATOR ROSENBERG: Thank you, ma'am.

7 The next speaker, Michael Rademacher,
8 followed by Matt Lundsted.

9 MICHAEL RADEMACHER: Hello. My name is
10 Mike Rademacher. I'm with the Waterfield Design
11 Group. We were a consulting firm hired by the Town
12 of Cohasset to review design submissions submitted
13 by the design -- Greenbush design project.

14 In general, the Town is appreciative of
15 the ability to review these packages, but the one
16 concern is that comments made on the packages are
17 not responded to, so the Town is not aware if they
18 are being incorporated, or how they are being dealt
19 with in the design process.

20 Specifically, a few -- I list a few of
21 items that we have reviewed with some of the
22 drainage designers. Two cross culverts located in
23 the town, one at Station 1169 plus 79, and one at
24 Station 1176 plus 29. Both of these culverts have

1 an outward/invert elevation, which is lower than
2 grading at the outlet. So in a sense, it will
3 create a potential for standing water and a
4 potential breeding ground for unwanted insects.

5 Also, there is a grade crossing design,
6 which the town had issues about the geometry and
7 the safety of the crossing. This is at the Spring
8 Street grade crossing, and the town presented an
9 alternative design, which was received well by the
10 project team who designed it, but to date we have
11 not received any input back that this will be
12 incorporated into the design or the aspect that
13 would be incorporated. And the town, again, we
14 would just like to get some feedback on it.

15 Thank you.

16 MODERATOR ROSENBERG: Thank you, sir.

17 The next speaker, Matt -- Matt
18 Lundsted, followed by Wendy Frontiero.

19 MATT LUNDSTEAD: My name is Matt
20 Lundsted. I am a Comprehensive Environmental
21 Consultant speaking on behalf of the Town of
22 Scituate, Massachusetts.

23 On behalf of the Town of Scituate,
24 Massachusetts, we have the following comments

1 regarding potential water quality affects to the
2 resource area associated with Bound Brook,
3 specifically relating to stormwater runoff and
4 drainage design from the proposed MBTA Greenbush
5 Commuter Line's North Scituate station and
6 associated facilities.

7 The impact on resources associated with
8 stormwater drainage from the North Scituate station
9 on Bound Brook and the associated resource area is
10 a concern. Design plans have not been finalized
11 for the drainage system designs, so design specific
12 review and comment cannot be provided at this time.
13 The town requests that this opportunity be afforded
14 to them prior to a decision on the permit.

15 Recent correspondence with the
16 Massachusetts Department of Environmental
17 Protection, from the MBTA's design/build
18 contractor's engineer, regarding the drainage
19 calculations for the North Scituate station
20 indicate that revised calculations for the station
21 will be submitted by March 27, 2003. The time
22 frame has not allowed the town adequate time for
23 review and comment on these calculations. The town
24 requests that this opportunity be afforded to them

1 prior to a decision on the permit.

2 Recent correspondence regarding the DEP
3 variance between the MBTA and DEP regarding the
4 drainage calculations for the North Scituate
5 station indicate that soil conditions and
6 groundwater elevations will be determined prior to
7 construction. Since this information is integral
8 to the design of any infiltration technology, it
9 does not seem prudent to wait until construction to
10 determine such design critical information.

11 Recent correspondence with DEP
12 regarding the drainage calculations for the North
13 Scituate station state that groundwater recharge
14 will be provided to the maximum extent practicable.
15 The town is concerned that the amount of recharge
16 will not be quantified prior to a decision, since
17 this is an important factor in assessing the degree
18 of impact to the resource area and Bound Brook.

19 Regarding North Scituate station
20 drainage, it is not clear whether alternative
21 stormwater treatment methods were considered during
22 development of conceptual designs. A alternative
23 analysis should be performed taking into
24 consideration methods such as alternative pavement

1 treatments, reductions in impervious areas, or
2 increased infiltration, all will have an effect on
3 the impacts to the resource area and Bound Brook.

4 Proprietary water quality devices, such
5 as vortex style separators and oil/water
6 separators, are proposed for the station, however
7 no sizing or volume calculations have been
8 provided. It is difficult to determine the
9 effectiveness of the proposed designs and the
10 impact on to the tributary resources.

11 The town is also concerned about
12 erosion controls to be utilized during construction
13 that have not been recommended on the plan.
14 Project plans do not discuss site specific
15 controls, or mitigation measures, such as project
16 phasing or any other controls which will be used to
17 control erosion and sediment transport during
18 construction.

19 Thank you.

20 MODERATOR ROSENBERG: Thank you, sir.

21 The next speaker, Wendy Frontiero,
22 followed by David Kvinge, K-V-I-N-G-R-E.

23 WENDY FRONTIERO: Thank you. My name
24 is Wendy Frontiero. I am an architect and

1 preservation consultant speaking on behalf of the
2 Town of Weymouth and Section 106 design issues.

3 I wanted to address two topics today.
4 One is a very brief overview of comments I made
5 back in February at the public meeting, and which
6 are available to subsequent design; and the second
7 is comments on the March submittal, 60 percent
8 design.

9 The comments in February focused on
10 three main concerns: One, the lack of
11 identification of significant hillside properties,
12 and evaluation of potential project impacts on
13 them; two, lack of critical detail on 60 percent
14 design submittals in the absence of surrounding
15 development for the Weymouth Landing station in
16 itself; and three, the very important special
17 design attention to be given to the Weymouth
18 Landing station, which will occupy a highly visible
19 site in the center.

20 The Town of Weymouth requests a firm
21 schedule for the submittals of all 60 percent
22 design plans, forums, evaluation of impacts and
23 proposed mitigation in advance of further
24 Section 106 consultation. We further request that

1 these submittals be done as quickly as possible so
2 that any appropriate changes can be easily
3 accommodated in the 90 percent design plans.

4 In a memo by the cultural resources
5 staff and the project's design engineer, they
6 concluded that the "common design elements, as
7 represented in these plans, will have no impact on
8 historical or ecological resources. Impacts
9 relating to construction of all these individual
10 stations are addressed in Design Packages 22 to
11 29."

12 Given the present lack of inventory and
13 evaluation of project impacts on two star
14 properties, we believe this is impossible to
15 substantiate. The Town of Weymouth has recommended
16 more than a dozen of historic properties, as well
17 as historic landscapes that are concern for further
18 study. Design Packages 22 to 29 have not yet been
19 submitted, so they're not able to identify
20 construction and layout impacts for the station.

21 Design Packets 112 and 113 is simply
22 not suitable for the historical center in Weymouth
23 Landing. While there are several places where a
24 special event occurs, special treatment is

1 warranted. Weymouth Landing is substantially
2 different from the settings of commuter rail
3 stations on this line, and architectural design
4 with its distinctive character is essential. Train
5 stations in town centers should be designed
6 individually.

7 Similar concerns apply to the Weymouth
8 station. Our specific comments on this station
9 design elements are the proposed canopy design,
10 which does not compliment any aspect of the
11 historical architectural character designed;
12 proposed railroads are not appropriate to a
13 historic setting and should be designed in
14 conjunction with the commuter rail with the
15 overpasses. Assigned cases really need to be
16 studied for their compatibility. No information is
17 provided on freestanding light fixtures, trash
18 receptacles, and we hope you consider all of this.

19 MODERATOR ROSENBERG: Thank you.

20 Our next speaker, David Kvinge, I hope,
21 followed by Bonnie Armstrong.

22 DAVID KVINGE: Good afternoon. David
23 Kvinge. I'm a Comprehensive Environmental
24 Consultant to the Town of Scituate from the Public

1 Works.

2 On behalf of the Town of Scituate, we
3 have the following comments regarding potential
4 water quality affects to the resource area
5 associated with First Herring Brook, specifically,
6 relating to stormwater runoff and drainage design
7 for the proposed MBTA Greenbush Commuter Line's
8 Greenbush Station and layover and associated
9 facilities.

10 The impact on resources associated with
11 stormwater drainage from the Greenbush Station and
12 layover on First Herring Brook is a concern. This
13 discharge point is upstream of shellfish beds in
14 the area. The proposed construction results in a
15 significant increase in impervious surfaces
16 associated with the parking lots. There appears to
17 be an opportunity for an increased level of
18 infiltration to the site, which does not appear to
19 have been explored completely.

20 The design of the proposed infiltration
21 galleries for Greenbush Station layover has not
22 identified what quantity will be infiltrated or
23 recharged. The amount of recharge should be
24 quantified, since this is the determining factor in

1 assessing the degree of impact to the resource and
2 could potentially reduce impacts from stormwater to
3 the resource area.

4 Recent correspondence with DEP
5 regarding drainage calculations for Greenbush
6 Station and layover indicate that soil conditions
7 and groundwater elevations will be determined prior
8 to construction. Since this information is
9 integral to the design of any infiltration
10 technology, it does not seem prudent to wait until
11 construction to determine such design critical
12 information.

13 Regarding Greenbush Station and layover
14 drainage, it is not clear whether alternative
15 stormwater treatment methods were considered. An
16 alternative analysis should be performed taking
17 into consideration methods such as alternative
18 pavement treatments or reductions in impervious
19 areas, all which will have an affect on the impacts
20 to the resource area and First Herring Brook.

21 Proprietary water quality devices, such
22 as vortex-style separators and oil/water
23 separators, are proposed for the station; however,
24 no sizing or volume calculations have been

1 provided. It is difficult to determine the
2 effectiveness of proposed designs and the impact to
3 the tributary resources without this information.
4 In addition, underground proprietary devices
5 require regular maintenance, and the town is
6 concerned about what guarantee can be made
7 regarding the performance of this maintenance.

8 Track-side drainage ditches appear to
9 be designed as water quality swales. Since these
10 swales discharge to resource areas, they should be
11 designed to provide for a higher level of pollutant
12 removal and spill containment, utilizing components
13 such as check dams, sediment forebays or extended
14 basins.

15 The town is also concerned about
16 erosion controls to be utilized during
17 construction. Project plans received to date do
18 not discuss site specific controls, such as
19 haybale/silt fence placement or mitigation
20 measures, such as project phasing or any other
21 controls which will be used to control erosion and
22 sediment transport during construction.

23 Thank you very much.

24 MODERATOR ROSENBERG: Thank you, sir.

1 The next speaker, Bonnie Armstrong,
2 followed by Timothy Joyce.

3 BONNIE ARMSTRONG: My name is Bonnie
4 Armstrong, 214 South Street in Hingham, speaking as
5 a resident, and speaking to the proposed
6 elimination of the four-quadrant gates at the
7 corner of Hersey and South and Thaxter and North
8 Streets. I think it's a perfectly dreadful idea.
9 It will cause the maximum disruption of traffic, as
10 opposed to the minimum disruption.

11 A child of 10 could do a better design.
12 We need the four-quadrant gates on either side of
13 the tracks, a safety device used since the advent
14 of trains over a hundred years ago. All civilized
15 countries -- this is what is used in all civilized
16 countries. The design is so bad, it's almost
17 funny, except for the potential for real tragedy.
18 The MBTA claims it is safe. I do not agree.

19 If they actually believe what they are
20 saying, they are in denial. Picture that child of
21 10 coming down Hersey Street on an errand for mom
22 at Tedeschi's to get some milk, and maybe a
23 forbidden candy bar. Meanwhile, the gates go down
24 on South Street and North Street. You have got the

1 tracks here and Tedeschi's here. The kid realizes,
2 oh, I better hurry up or mom is going to really be
3 mad; hops back on the bike and takes off across the
4 tracks, because there no barrier there to even
5 remind him that this could happen. And maybe he'll
6 make it this time, but eventually there will be a
7 fatality there. No human life is worth any kind of
8 money saving that these Jersey barriers will
9 provide.

10 Now, while safety is the most important
11 issue, aesthetics are also important. It is a fact
12 that a train running through a residential area
13 brings blight. We bought our house in '64, five or
14 six years after the train was given up, and yes,
15 the area was rundown, shabby, neglected then.

16 Since then, all the rundown houses have
17 been brought up and lovingly restored, and it's a
18 lovely neighborhood now. This proposed
19 configuration is a classic example of urban blight.
20 In fact, it will jump start the new neighborhood
21 blight. It will be, in fact, cancer on the tracks,
22 spreading from each side, and I hope you will deny
23 the permit.

24 Thank you.

1 MODERATOR ROSENBERG: Thank you, ma'am.
2 The next speaker, Timothy Joyce,
3 followed by Donna Chisholm.

4 TIMOTHY JOYCE: I am Father Timothy
5 Joyce. I represent Glastonbury Abbey.

6 Glastonbury Abbey is a monastery of
7 Benedictine Monks located at 16 Hull Street in
8 Hingham, Massachusetts. The Abbey has about 735
9 feet of frontage parallel to the Greenbush right of
10 way. Our monastery and church are some 100 feet
11 from the right of way, and one of our guesthouses
12 is about 60 feet from it.

13 As Benedictine Monks, we commit
14 ourselves to an individual and communal life of
15 spiritual growth; to prayer, study and reflection.
16 We seek a balance of community life practices and
17 quiet solitude. We gather for prayer in our church
18 five times daily, and as a community, we gather
19 three times daily in our rectory for common meals.
20 We set aside 90 minutes each day for personal quiet
21 prayer and meditation. Times and places of silence
22 are integral to our way of life. In addition,
23 individuals and groups regularly share our monastic
24 life on religious retreats. This is one of the

1 ways in which we support ourselves.

2 Sound levels from the proposed restored
3 train, as measured by the MBTA, will significantly
4 interfere with the speech sound levels and music in
5 the church, as well as speech sound levels for
6 reading during meals. Sound levels will disrupt
7 services, common prayer and activities, and will
8 effectively destroy the contemplative atmosphere
9 required for individual prayer and reflection. We
10 believe the MBTA must make strenuous, good faith
11 efforts to mitigate these impacts on our community
12 and its facilities. To date, there has been a
13 reluctance to address reasonable levels of
14 mitigation. There have been frequent changes of
15 personnel, and we are always starting from the
16 beginning. No one with whom we have spoken seems
17 to have the necessary authority to include binding
18 agreements.

19 More troubling, the MBTA does not
20 appear willing to address the unique nature of our
21 community. Mitigation has been discussed in terms
22 of averages and formulas that apply to private
23 homes along the line. If mitigation is to be taken
24 seriously, all this must change.

1 Another problem relates to the proposed
2 grade crossing at Hull and East Streets. Hull
3 Street provides the only reasonable access to our
4 monastery, indeed to the whole neighborhood, for
5 emergency vehicles (police, fire and medical).
6 Delays at the grade crossing could result in the
7 loss of life or property. This needs the attention
8 of the MBTA and all others concerned.

9 We request that the MBTA be required to
10 respond adequately to these environmental, safety
11 and procedural issues as a condition of any permits
12 issued by the Corps of Engineers.

13 Thank you.

14 MODERATOR ROSENBERG: Thank you, sir.

15 The next speaker, Donna Chisholm,
16 followed by Roger Boney, I believe, 181 South
17 Street.

18 DONNA CHISHOLM: Good afternoon. My
19 name is Donna Chisholm. I'm a concerned citizen
20 from Scituate. With all the previous speakers, a
21 lot of what I have to say, I'm just going to break
22 it down.

23 The top five reasons why Greenbush
24 should not be built:

1 Number five, the cost. At \$450 million
2 to design a Greenbush Line, and approximately 3,000
3 riders, which is a guesstimate, the cost per rider
4 is \$150,000. This figure does not even include
5 maintenance or upkeep of the line. That is
6 outrageous and totally unacceptable.

7 Number four, ridership. Plymouth and
8 Kingston, a beautiful town, now having problems
9 with school overcrowding, traffic and tax increases
10 due to cost overrides.

11 How many people who ride the train now
12 actually lived in these towns before the train?

13 It seems that the swell in the
14 population was caused by the arrival of the train;
15 therefore, no cars were taken off the road.
16 Instead the towns gave all the traffic and the
17 pollution.

18 Number three, environmental impacts.
19 The Clean Air Act was enacted to clean up our air
20 quality, not move the pollution from the highways
21 to our small towns. Not only do we have to deal
22 with the diesel pollution from the planes, but we
23 also have to deal with pollution from the cars and
24 the traffic jams that they will cause.

1 Number two, safety. To put it bluntly,
2 17 grade crossings. That says it all.

3 And number one, and again, to mention
4 it, it is the cost, which is actually at this point
5 at \$470 million, and the cost continues to climb.
6 I feel the Greenbush Line will not benefit the
7 South Shore, and I would like to see this project
8 stopped.

9 Thank you.

10 MODERATOR ROSENBERG: Thank you, ma'am.

11 The next speaker is Roger Boney,
12 followed by Fred Zimonja.

13 Spell your --

14 ROGER BONEY: B-O-N-E-Y.

15 MODERATOR ROSENBERG: Okay.

16 ROGER BONEY: I am Roger Boney, also
17 representing the business of Tedeschi Food Shops.

18 One of the little mentioned, but
19 critical aspects of effect, or the lack of
20 four-quadrant gates used, is certain businesses.
21 In particular, myself and some small other shops
22 close by there, too. Tedeschi Food Shop at 181
23 South Street, the street through North Street,
24 South Street, with a crossing to our front door, we

1 are very concerned with the lack of quad gates
2 being used at grade level crossings in Hingham.

3 Also, each crossing should be looked at
4 individually, we feel, because of each location to
5 the train crossing.

6 With the setup of middle medians and
7 gates, as the MBTA is presently proposing, we will
8 lose all the parking in front of our store and
9 across the street, and this means no parking, no
10 customers, no stores.

11 It not only affects us, but also two
12 other stores -- businesses directly with us.

13 Four-quadrant gates provide a safer
14 option around the grade level crossing, not
15 allowing access to the track to many children in
16 the neighborhood. With the proposed setup, a child
17 could access the track while a train is coming.
18 The four-quadrant gates would eliminate the need
19 for the middle medians, which is a problem area,
20 thus avoiding interference with parking on the
21 street and avoiding destroying the look of a
22 historical area.

23 Also, traffic backup at locations. Our
24 store provides a very important service to a large

1 number of people in the surrounding neighborhood.
2 We service between 700 and 900 customers each day.
3 These people are not just our customers, but our
4 friends and neighbors, and they can safely allow
5 their children to come to our store without worry.
6 We also have a large number of customers from the
7 Housing Authority at Thaxter Park. Many of these
8 residents are elderly and do not drive anymore. We
9 are within walking distance of them, and they can
10 come and get the daily staple items from our store,
11 as many of them do on a daily basis. This enables
12 them to keep some form of independence. Most of
13 them could not walk the distance to the next
14 grocery store.

15 Without parking, our store will be
16 closed. This is no longer access to the stores.

17 The fire station is located right
18 around the corner to the building that contains our
19 store, and yet if we or a customer were to have an
20 emergency requiring the fire truck or ambulance, it
21 would take at least another mile to get to us in
22 case of an emergency.

23 We would request that the MBTA
24 reconsider its current proposal and return to the

1 plan of four-quadrant gates, as was agreed to
2 several years back with the Town of Hingham.

3 Thank you very much for your time.

4 MODERATOR ROSENBERG: Thank you, sir.

5 The next speaker, Fred Zimonja,
6 followed by Valerie Greene.

7 FRED ZIMONJA: Good afternoon. I live
8 in Greenbush, and I speak for myself and my family.

9 I just want to confine my remarks to
10 Greenbush, the end of -- the end of the rail line,
11 extreme end of the rail line.

12 I just want to say that I don't need a
13 survey or anything like that to make me think
14 introducing a 1,000 car parking lot, traffic, noise
15 and litter into the Greenbush area. That can't be
16 a good thing. Building this near sensitive town
17 water, water supplies doesn't seem too good either.

18 And third, creating a safety hazard
19 with the number of grade crossings in proximity to
20 the housing and schools, that doesn't seem like a
21 good thing either.

22 It makes me think there would have to
23 be some real good reason that we are going through
24 all of this, and that is realizing it is a shell

1 game being played with the ridership. Everyone may
2 say that they'll ride the Greenbush. It really
3 depends on the price. And obviously, the cheaper
4 the fare, the more passengers there will be.

5 The T has stated recently that it has
6 had to raise its fares with the result in dramatic
7 decrease in its ridership. Instead of the
8 approximately 4,000 riders per day they have
9 foreseen for Greenbush, we may well, with this
10 higher parking fees and fares, we may see dramatic
11 increases, so the T may even have to force to scrap
12 the water shuttles, the Hingham water ferry, in
13 order to use its 2,000 riders each day to justify
14 building this thing.

15 Economics dictate the usage on the
16 line. It's too bad these economics don't really
17 drive the T.

18 Scituate has experienced tremendous
19 growth and tremendous appreciation and value. The
20 Greenbush area is already extremely busy, and
21 adding a track and more cars to this area doesn't
22 seem to be a good idea.

23 The corner of the Driftway on 3A right
24 now, they are building a new medical building.

1 This is exactly where all the traffic for the end
2 of the Greenbush Line is going to be going by. I
3 suggest that the T's traffic studies are woefully
4 out of date. They haven't done anything for years.

5 I just say in summary that I'm against
6 the resuscitation of this line. It's inefficient,
7 unwarranted and ill advised. Please note my
8 objection.

9 Thank you.

10 MODERATOR ROSENBERG: Thank you, sir.

11 The next speaker, Valerie Greene,
12 followed by Terry Fancher.

13 VALERIE GREENE: My name is Valerie
14 Greene. I have lived in Scituate for 22 years.

15 If one considers that any enlarged
16 scale transportation system must provide the
17 greatest good for the greatest number, the prospect
18 of renovating this particular Greenbush rail line
19 fails on every count. I am not an abutter to the
20 tracks, but am horrified to contemplate the impact
21 to those whose lives have been physically and
22 mentally, and most definitely financially, should
23 this train be revived.

24 Like many who do regular business in

1 the Town of Hingham, I will give you the most
2 extreme example. I will go elsewhere for the
3 two-year construction of the tunnel for the town
4 area. It is reasonable to assume that many of
5 these businesses will not be able to withstand the
6 losses of these two years. The number of
7 prospective commuters on this train cannot justify
8 the certain harm which will come to all these
9 people. We cannot go back to the world of 1959.

10 This has always been about beating a
11 dead horse. Thank you.

12 MODERATOR ROSENBERG: Thank you, ma'am.

13 The next speaker, Terry Fancher,
14 followed by Jon Tapper.

15 TERRY FANCHER: My name is Terry
16 Fancher. I live in Braintree. I come to you today
17 speaking as General Manager of South Shore Chamber
18 of Commerce in Quincy.

19 I truly thank you for being here. Your
20 presence has made this into a better project.
21 Since 1985, I have either been the Chairman of the
22 Old Colony Citizens Advisory Committee or the Chair
23 or the Vice Chair of the Greenbush Citizens
24 Advisory Committee. I mention these because I have

1 seen and heard every tactic known to mankind used
2 by the opponents to fight this project, and all
3 that it has done is add to the cost.

4 The T stated they were going to
5 re-examine this project a couple of months ago.
6 There were cheers from some. I really don't know
7 what they were cheering about, because what they
8 had done is to add millions to the cost of this
9 project. That's nothing I can be proud of.

10 You're going to hear about the issue of
11 median strips. You already heard some of the
12 comments, whether it's four quadrants or two
13 quadrant gates. I thank you for not entering into
14 that abyss. I ask that you simply allow the
15 Federal Railroad Administration to come up with the
16 guidelines, and that you continue to listen for
17 their guidance on this issue. It's not an issue I
18 hope to get involved with.

19 This project is not a popularity
20 contest. It's about moving people and doing so in
21 a cost-effective and environmentally sensitive
22 manner. There is a fine line in negotiating in
23 good faith to get to the very best and most for a
24 community, and stepping over that line and

1 seemingly asking for everything, in order to drive
2 the cost of the project so that it will never be
3 built.

4 This project can move people. It has
5 the capability of doing this in conjunction with
6 buses and other forms of mass transit. It can be
7 done in three years. And it could have been done a
8 lot cheaper and a lot quicker. I simply urge you
9 to move forward and don't delay it any further.

10 Thank you.

11 MODERATOR ROSENBERG: Thank you, sir.

12 Our next speaker is Jon Tapper, who
13 will be followed by Joseph Rosano.

14 JON TAPPER: Mr. Lento, Mr. Rosenberg,
15 Jon Tapper, spokesperson for the Advocacy of
16 Greenbush on Track, GOT.

17 GOT is an organization comprised of
18 businesses, unions and ordinary citizens who are
19 fed up with the nightmarish traffic in the North
20 Shore and viable transportation alternatives. Look
21 at 3A and 93 during the morning and afternoon.
22 Something must be done to alleviate the traffic.
23 That something is commuter rail. It is the highest
24 number of cars in the roadways and can be done

1 quickly and affordably.

2 Much has been made about the price tag
3 of Greenbush. It is worth \$200 million, higher
4 than six years ago. The reason is simple. Delays
5 have driven costs up. It costs more today to buy
6 land. It costs more to purchase a business, the
7 price and construction starts. It is important to
8 remember this was promised to people in the South
9 Shore. Businesses and homeowners have decisions,
10 investments and capital with the expectation that a
11 commuter rail would be restored.

12 It was promised in the Big Dig.
13 Taxpayers on the South Shore paid millions with the
14 Central Artery project. This is what they have
15 promised in return. I understand the Army Corps'
16 debate on whether Greenbush will be built or not.

17 I believe it is important to understand
18 why they are here today. They are here today
19 because construction has been delayed, and the
20 residents of the South Shore have so far been kind.
21 I employ the Army Corps of Engineers with delays,
22 dismiss them and move forward on the Greenbush
23 program as you have promised to the people of the
24 South Shore.

1 Thank you.

2 MODERATOR ROSENBERG: Thank you, sir.

3 The next speaker is Joseph Rosano, and
4 I have been given the signal that the court
5 reporter will have to change paper.

6 JOSEPH ROSANO: Good afternoon, Joseph
7 Rosano, Joy Realty Trust. I hope that is still on
8 file.

9 I'm here because of two pieces of
10 property, commercial people in Cohasset Village,
11 number 105 Ripley Road, and I am a direct abutter
12 on both properties to the T. The first, 105 Ripley
13 Road, is approximately eight feet from the track.
14 It's an office building. It's up on cedar pilings.
15 That will devastate the vibration and also lose all
16 of our parking.

17 The next and most important is No. 2
18 Pleasant Street, commonly known as the Pleasant
19 Street Cafe and Grill. It's an outdoor dining
20 restaurant that has ice cream all summer, and that
21 kitchen is 28 feet from the existing traffic,
22 approximately.

23 The T has refused to give us vibration
24 mats saying we don't need them, because we have hot

1 grease, we have hot boiling water.

2 Also, the demonstration of the line
3 going up, you won't be able to get from Cohasset
4 Village. You have to go up on Pleasant Street,
5 make a U-turn, turn into someone's driveway, back
6 out and go back down.

7 They are taking by eminent domain the
8 frontage of the building, so I don't have any
9 parking at all. There is no building, other than
10 with garden areas. That is the majority of our
11 business, so we certainly can't say that.

12 The outdoor dining area will be
13 devastated by the audio, visual and the smell.
14 We just need your help.

15 I hope you consider all the
16 alternatives. Thank you.

17 MODERATOR ROSENBERG: Thank you.

18 We will now take a 12-minute break, and
19 return at quarter to 3:00. The first person to
20 provide testimony at that time will be Samantha
21 Woods. She will be followed by Henry Hidell.

22 We will recess for 10 minutes.

23 (There was a short break taken.)

24 MODERATOR ROSENBERG: Ladies and

1 gentlemen, we're back.

2 The first speaker, Samantha Woods, to
3 be followed by Henry Hidell.

4 Take your time.

5 SAMANTHA WOODS: Thank you. Thank you
6 for the opportunity to speak.

7 My name is Samantha Woods. I'm the
8 Executive Director of North and South Rivers
9 Watershed Association.

10 We have several concerns that require
11 particular attention in order to protect water
12 supply and habitat interests in the immediate
13 vicinity to the Greenbush terminus.

14 First, the MBTA has chosen a
15 design/build method to complete construction of the
16 Greenbush Line. Unfortunately, this has resulted
17 in a confusing and incomplete review process,
18 because plans being submitted do not identify
19 resource areas and their impacts. In some areas
20 where there are likely to be concerns, the plans
21 are not sufficient to identify all the impacts to
22 wetlands and waterways. We would ask that the MBTA
23 be required to provide all information regarding
24 the design with sufficient time for review and

1 comment.

2 The MBTA needs to provide more
3 background and evidence that there will be no
4 impacts to the quality or quantity of the Scituate
5 water supply. The proposed rail bed expansion will
6 be filling wetlands and portions of tributaries
7 within the watershed to the Town of Scituate's
8 water supply, and yet no evidence has been supplied
9 regarding the impacts of these actions. If there
10 are impacts identified, then they must provide
11 mitigation for those impacts.

12 Particular care must be given in the
13 construction of the stormwater drainage system from
14 both the parking area and the layover site such
15 that no pollutants, particularly fecal coliform,
16 enter either the marsh or the water supply.

17 The Corps should consider in its
18 permitting process the secondary impacts of
19 conveying large quantities of stormwater into
20 Herring River, a tributary to the North River that
21 contains an anadromous fish run and is tidal.
22 Large quantities of freshwater being conveyed into
23 this river have the potential to alter this
24 estuarine habitat. The NSRWA and surrounding towns

1 have worked hard to identify sources of pollution
2 downstream of this tributary, and this has resulted
3 in opening shellfish beds part of the year. It
4 would be criminal if the MBTA impacted those
5 downstream resources we have worked so very hard to
6 clean up. We suggest that the MBTA consider either
7 a multilevel parking facility to reduce the area of
8 impervious surface, or that porous pavement be
9 considered to allow recharge on-site.

10 We also suggest that in addition to
11 state-of-the-art stormwater filtration systems,
12 independent monitoring should be conducted in order
13 to ensure that there are no negative impacts from
14 stormwater runoff. There should be funding in
15 place to provide ongoing maintenance of stormwater
16 best management practices such that they function
17 properly in treating stormwater.

18 You must also make sure that in the
19 event of negative impact on either the water supply
20 or the marsh, the MBTA will take immediate and
21 effective action to stop and fully mitigate the
22 negative impacts.

23 Traffic will be a significant concern
24 if the train comes to Greenbush. A 1,100-car lot

1 is proposed with plans to possibly expand to 1,500
2 vehicles. Access to the station will be primarily
3 from Route 3A and Route 123. The present
4 intersection is poorly designed and does not
5 function properly. It is not enough to say that
6 the present situation will be improved. You must
7 be convinced that the traffic infrastructure
8 changes will indeed adequately and properly handle
9 the anticipated increase in traffic.

10 In addition we would recommend that the
11 MBTA consider building outlying parking lots in the
12 other towns that the train will service and provide
13 "Kiss and Ride" transportation to the Greenbush
14 station.

15 Thank you for the opportunity to
16 comment.

17 MODERATOR ROSENBERG: Thank you.

18 Ms. Woods, you are welcome to leave
19 your remarks in that box there. Thank you.

20 Our next speaker is Henry Hidell, and
21 he will be followed by Sam Manian, 103 Kilby
22 Street.

23 HENRY HIDEELL: Hi. My name is Henry
24 Hidell. I'm a resident of the Town of Hingham, and

1 I represent myself and anybody who is willing to
2 agree with me.

3 I am the former Senior Planner of the
4 Department of Natural Resources, and that tells you
5 how long ago that was. I am a former member of the
6 Cohasset Planning Board, and that is why I had to
7 move to Hingham; and I am a former member of the
8 MBTA Advisory Committee for the Town of Hingham
9 right from the Town of Cohasset.

10 It is my opinion, based upon the review
11 of the public record, that I do not believe that
12 the Corps of Engineers is in a position to render a
13 decision relative to the permit being requested,
14 due to a lack of technical information as it
15 relates to the environmental issues, and those
16 environmental issues concern in a large part the
17 large amount of fresh water resources that will be
18 traversed by the restoration of the Greenbush Line.

19 The fact that a right-of-way exists
20 from the late 1800s is no fundamental reason for
21 this line to be restored within the constraints of
22 the contemporary environmental regulations, and
23 those contemporary environmentally regulations are
24 based upon the experiences of prior environmental

1 activities that, in fact, severely damage or
2 certainly alter the environmental protection of the
3 public good.

4 So, therefore, based on that, I do not
5 believe that the Corps of Engineers is in a
6 position to render a learned or knowledgeable
7 permit at this time.

8 It would be my recommendation that the
9 Corps request additional information. The nature
10 of the permit being requested is based on the
11 design/build contract in which the Corps will not
12 have technical information available to it until
13 well after significant damage has been rendered to
14 the environment, based on that design/build
15 process.

16 So within that -- those constraints, I
17 offer up the following considerations for your
18 review: The Greenbush regularly traverses wetlands
19 that are crucial to the recharge of a diminishing
20 amount of freshwater servicing and increasing
21 population. The tunnel to be constructed under the
22 Town of Hingham Center, as a result of mitigated
23 activities for mitigation, is going to be built in
24 a significant wetlands area known as Town Brook and

1 Mill Pond. These are liquefied soils and sediments
2 that have not been sampled sufficiently to
3 determine the stability of these sediments. The
4 rail terminal to the Town of Hingham will obviously
5 disrupt the economic structure of this town
6 significantly, because it goes from the heart of
7 its economic activity.

8 And there is still no sufficient answer
9 by the MBTA studies on vernal pools and the related
10 wildlife species involved.

11 Thank you very much.

12 MODERATOR ROSENBERG: Thank you, sir.

13 Thank you.

14 The next speaker is Sam Manian,
15 followed by Ruth Anne Beck.

16 SAM MANIAN: Good afternoon. My name
17 is Sam Manian. I am a resident of Hingham, and I
18 applaud the Corps for conducting these open public
19 meetings.

20 The extensive list of environmental
21 impacts are so severe that we are still here
22 15 years later trying to resolve these complicated
23 issues, which has been hampered and hindered by the
24 likely ongoing delays of providing information by

1 the transit authority at the request by the towns
2 over many years. It's essential that we have
3 enforcement of strong environmental regulations to
4 protect the towns, the communities, the citizens,
5 the neighborhoods, the homes, the natural
6 environment and safety for the people. If these
7 issues were subjected to all Federal Environmental
8 Regulations, we would most likely not be here
9 today, due to stringent requirements which the MBTA
10 could not meet.

11 Why should Massachusetts be any less
12 stringent?

13 Don't our towns and citizens deserve
14 the best protections?

15 Regarding Nantasket Junction Station,
16 as of today, the MBTA's contractors outreach
17 program have not conducted any meetings with the
18 neighborhoods directly affected by Nantasket
19 Junction Station in Hingham. We need to discuss
20 the impacts or mitigation measures that include
21 flooding, safety, noise, lighting and traffic. The
22 station affects approximately 75 to 100 homes and
23 families in the community, including Summer Street,
24 Kilby Street and many side streets. This area has

1 been designated a National Flood Plain that
2 provides for protection by Congressional mandate.
3 The MBTA has never addressed this issue publicly.

4 Four quad gates are critically
5 important on both Summer Street and Kilby Street,
6 because of the heavy commuter traffic on Route 3A,
7 traffic going in and out of these proposed parking
8 garages, heavy traffic at numerous events at the
9 Sons of Italy Hall across the street, the new
10 housing project being constructed at Brewer Meadows
11 on Summer and Kilby Street, and the residential
12 activity in the surrounding neighborhoods. These
13 conditions necessitate four quad gates, which
14 clearly provide the highest level of safety, as
15 shown by the research and operational data that
16 strongly show a positive influence on driver
17 behavior, which has resulted in significantly fewer
18 accidents and deaths.

19 We request that the MBTA initiate
20 public meetings with the neighborhoods at Nantasket
21 Junction to discuss proposed mitigation measures.

22 The FRA will be issuing new and
23 flexible guidelines on four quad gates in September
24 as part of the ISTEA reauthorization bill in the

1 United States Department of Transportation. We
2 request that the MBTA be required to incorporate
3 these new guidelines and regulations as part of the
4 MOU with the Town of Hingham.

5 We are asking the Army Corps of
6 Engineers and the Secretary of Transportation to
7 review and fix the onerous and badly flawed process
8 for reviewing contractor developed design packets
9 submitted to the towns for review and comment in a
10 very short period of time. Currently, the towns
11 are receiving over 100 packets of designs for
12 different work.

13 MODERATOR ROSENBERG: Thank you, sir.
14 Thank you.

15 SAM MANIAN: Thank you very much.

16 MODERATOR ROSENBERG: You may leave
17 that statement. We can have the whole thing.

18 SAM MANIAN: I have to fix it up a
19 little bit. I have to make a lot of changes.

20 Thank you.

21 MODERATOR ROSENBERG: Thank you, sir.

22 Next speaker, Ruth Anne Beck, followed
23 by Richard Nese.

24 Richard Nese?

1 Marilyn Yorke.

2 MARILYN YORKE: My name is Marilyn
3 Yorke. I am an abutter to the Greenbush Line in
4 West Hingham at 223 South Street, and I own a barn
5 on 272 North Street. My house is the Marshall
6 Homestead built in 1805.

7 In 1849, my property was cut in half by
8 the construction of the railroad, and so my house
9 and barn became two separate properties bisected by
10 the tracks. These tracks also cover the Town Brook
11 behind my house.

12 The rear wall of my home is 10 feet
13 from the track and lies between four and five feet
14 at the property line. The state was ruthless in
15 1849 when the first line was built, and they don't
16 care about the destruction and damage it did to the
17 property and the residences along the track. And
18 that same lack of concern has dominated this
19 restoration project.

20 The MBTA has left unanswered too many
21 questions, and has lots of serious environmental
22 issues, and I feel that this project is too far
23 reaching, and potentially too dangerous and too
24 costly not to have it follow EIR.

1 Issues of concern to me, as a resident,
2 and I think I speak for many of the concerns by the
3 28 other -- 2,800 other residents along the track.

4 First of all, the quality of life. The
5 effects of noise pollution, air pollution,
6 vibration, are significant, and the T has not
7 explored thoroughly their impacts on the well-being
8 of the people living within close proximity to the
9 track. The toxins that will spew into the air will
10 have adverse affect, obviously, on our health and
11 well-being.

12 The second concern is mitigation. The
13 T has proposed moving my house, in particular, from
14 an 1805 granite foundation out into South Street on
15 a plot of land that the town owns putting the house
16 around 10 feet further from the track. They
17 proposed insulating the house, giving me room
18 air-conditioners and triple-pane glass windows as
19 mitigation. This package is an insult.

20 That this mitigation will in any way
21 actually affect the diesel fumes, noise and
22 vibration is absurd. Before 1958, while the train
23 was still in operation, the houses that abut the
24 track in West Hingham were in deplorable condition.

1 They were run down, unowned and occupied dwellings.
2 The railroad had made them so. Now they have been
3 carefully restored, and their historic integrity
4 has been preserved, but they are being severely
5 threatened by Greenbush.

6 If the railroad pass it will spew
7 diesel fumes, double-decker trains, vibration and
8 noise and will destroy these properties and
9 depreciate their value.

10 Which leads me to property value, which
11 property values have also depreciated in this area.
12 My house, in particular, has been evaluated about
13 \$100,000 less than it would be if it were in a
14 different location in Hingham.

15 Concerning the archeology then -- that
16 is my last -- can I just go over a couple of
17 minutes?

18 MODERATOR ROSENBERG: No, I'm sorry.
19 But you did very well. You can leave -- ma'am, you
20 can leave your entire statement, and we will have
21 it added.

22 MARILYN YORKE: I'll clean it up.

23 MODERATOR ROSENBERG: Thank you. Thank
24 you.

1 Our next speaker is Mr. Philip Tobey
2 to be followed by Dottie Leach.

3 PHILIP TOBEY: My name is Philip Tobey,
4 3 Weston Road, Hingham. I'm speaking for myself.

5 All I want is a safe railroad that is
6 what are to have.

7 A close relative died as a result of a
8 house fire near the Long Island Railroad when the
9 fire engines couldn't get there, because the
10 four-quadrant gate was two tracks, two Long Island
11 Railroad trains blocked the intersection for four
12 or five minutes. She was in a permanent vegetative
13 state for a year. That's what happens when you
14 monkey with fire safety.

15 Now, I do appreciate everything
16 Mr. Brennan has done, everything that the Chamber
17 of Commerce has done. Their concerns are to be
18 considered as well. But I work in Westwood next to
19 the Route 128 Station. For 11 years, I was part of
20 a walking group. It was like a time test of
21 particulate emissions. You get off the train at
22 128, and walk side-by-side with the diesel
23 locomotive as belching smoke came out of the
24 locomotive. What we need is electrification of

1 this line.

2 I won't take up any of your time,
3 because I'm opposed to the median barriers. I want
4 four-quadrant gates at every intersection. But let
5 people with more specific concerns come to the
6 microphone.

7 Thank you for considering my spoken
8 requests, and I will be submitting by mail a
9 concise written statement by April 25th.

10 Thank you, sir.

11 MODERATOR ROSENBERG: Thank you, sir.

12 Our next speaker, Dottie Leach, to be
13 followed by Kathleen Donahue.

14 DOTTIE LEACH: I want to respond a
15 little bit to the -- the prior speaker, who said
16 that the opponents are the ones delaying this
17 project.

18 I read from a 1997 letter to Colonel
19 Bradbury where I said, the MBTA must go ahead with
20 the line in order to comply with the Clean Air Act.
21 The Clean Air Act deadline was 1999, and the MBTA
22 said that the line will not be running until 2002
23 at the earliest. When asked by a member, what
24 happens if they miss the deadline, Andrew Brennan

1 stated they will look into alternatives in 1999, no
2 earlier, since they do not have to file a statement
3 until 60 days before the deadline.

4 Now, it's 2003. Six years have passed.
5 There is so many questions. We still don't have
6 answers. Advocates for Transportation Alternatives
7 have focused their attention on transportation
8 alternatives, because the MBTA has not done so.

9 I urge the business organizations of
10 the South Shore to focus their energy on employment
11 alternatives, and not the idea that commuting to
12 Boston is the only option. The South Shore
13 business community has grown. It is necessary to
14 address the local commuter growth, and not just the
15 train line to Boston, but more address the travel
16 within the region.

17 Quality of life is often used to
18 promote rail restoration. It's a 90-minute
19 alternate way of commuting. A quality of life
20 improvement, or would quality of life greatly
21 improve by finding ways to bring employment
22 opportunities to the South Shore within a 20-minute
23 radius, allowing people to spend less time
24 commuting and more time with their families. And

1 I'll fix it up.

2 MODERATOR ROSENBERG: Thank you. Thank
3 you, ma'am.

4 The next speaker is Kathleen Donahue,
5 followed by John Hovorka.

6 KATHLEEN DONAHUE: Good afternoon. I
7 think it's interesting that a local historian,
8 Doctor John Stilgo (phonetic spelling), talked
9 about the origins of the Greenbush corridor rail
10 line. The reason that the train was placed in
11 Greenbush corridor along the wetlands was because
12 the chicken farm was complaining so much they
13 didn't want the noise. So therefore, they put it
14 over there. So it wasn't like this was based on
15 sound economic reasons. There was a bunch of
16 chicken farmers complaining.

17 Offer the past 10 years or so, I have
18 attended many public hearings related to the
19 Greenbush Line. It has become very evident that
20 the T's efforts to circumvent common safety issues
21 and environmental safeguards have prolonged this
22 process unnecessarily.

23 The federal regulations prohibiting
24 at-grade crossings were promulgated for a very

1 sound reason. Cars and trains are a lethal mix.
2 In today's Boston Globe, there was an article about
3 visual perception on page C1, and Ron Rensink
4 (phonetic spelling), a noted vision researcher,
5 talks about drivers looking but failing to see and
6 states, drivers sometimes even plow right into
7 trains that are on already crossing -- trains
8 already crossing the road. In these preoccupied
9 times, we need the best safeguards possible, not
10 the least.

11 To resurrect the rail line abandoned 44
12 years ago to circumvent these regulations creates a
13 serious safety situation, which is unacceptable.
14 And to multiply that situation 27 times in 17 miles
15 through residential neighborhoods with a lack of
16 safeguard -- safeguards currently proposed by the T
17 is criminal. The fact that they are trying to
18 avoid four-quadrant gates to save money is penny
19 wise and life threateningly foolish.

20 As a Greenbush resident, I am gravely
21 concerned about the lack of information concerning
22 the terminus of this project. Its massive scale
23 does not fit nestled in between the Town of
24 Scituate's sole water supply system and a river

1 that is the only state state-designated protected
2 scenic river in the Commonwealth. After all these
3 years of talking, there is still no way to get the
4 1,100 cars through the complex 3A-123 intersection.

5 When will a safe solution be put on the
6 table?

7 Do they have a safe solution?

8 The main safety feature of a roundabout
9 proposal, according to a state highway engineer in
10 a meeting Scituate, was limiting of speed, and what
11 he said was that if the cars can only go 20 miles
12 an hour in a roundabout, they won't do as much
13 damage when they hit. I didn't think that was a
14 very safe solution.

15 What about the large oil tank that
16 rolls over the vehicles, the commercial vehicles
17 that we see today, going in this roundabout? If
18 they spill over, they are right in our town water
19 supply system.

20 After years of asking the T, it
21 steadfastly ignored pedestrian and nonmotorized
22 access to the station. No bikeways, no walkways.
23 We need a car to get there. The only positive
24 situation is that the cars going to the train are a

1 lot cleaner than the train that is idling.

2 When the T proposed -- what the T
3 proposed -- okay.

4 MODERATOR ROSENBERG: Thank you.

5 KATHLEEN DONAHUE: Thanks.

6 MODERATOR ROSENBERG: Thank you very
7 much.

8 My next speaker, John Hovorka.

9 Catherine Rein.

10 John Bewick.

11 JOHN BEWICK: Thank you. My name is
12 John Bewick. I am president of Advocates for
13 Transportation Alternatives. I appreciate very
14 much the opportunity to come and speak before you
15 all.

16 For over 15 years, citizens of the
17 South Shore have taken the opportunity to present
18 their views on Greenbush at Corps hearings, in Town
19 Meeting votes and at the polls, and we welcome the
20 views of new groups lately arrived on the scene,
21 who may have new information to share.

22 I have really two points, and there is
23 not enough time to go into them in great detail.
24 One is that I feel that it's premature for the

1 Corps to issue a permit at this point until further
2 information is provided. Our wetlands expert has
3 submitted information to you of efficiencies in
4 February. He will submit his further comments in
5 writing, as opposed to testifying today.
6 Otherwise, he would be here, other than the other
7 people will present deficiencies in the
8 understanding of the impacts.

9 The second point is that it's our view
10 that the Corps must do a full environmental review
11 of this project. For one thing, a fellow federal
12 agency, Federal Transit Administration, had begun
13 such a review in the Greenbush's pool from current
14 federal funding. So you have a federal agency that
15 has already been in the early '90s already started
16 the federal review.

17 Secondly, you may not be aware of this
18 as a newcomer to New England that the EPA has also
19 urged the Corps in past communications do a full
20 Environmental Impact Statement. You might look at
21 the files on EPA's views about that, noting the
22 need for a full environmental impact statement.

23 Third, I think that in the Section 106,
24 Historic Preservation review, the Corps found that

1 train site was a negative impact on the districts.

2 MODERATOR ROSENBERG: Thank you, sir.

3 The next speaker is John Grayken.

4 Daniel Lauza. Layza. If I keep
5 trying, I'll get it right.

6 DAN LAUZON: I have trouble with it
7 myself. It's Daniel L-A-U-Z-O-N. I am the
8 legislative representative for the Brotherhood of
9 Locomotive Engineers, the people that will operate
10 the trains, if this project goes forward.

11 There are a couple of things I want to
12 point out to the -- to the floor that may be of
13 interest. One is that the proposed Greenbush Line
14 is a virtual mirror image of an existing line, both
15 in terms of its geography, topography, economic,
16 you know, demographic location distance.

17 And I'd also like to point out that
18 this line has 22 crossings. I know a lot of people
19 locally are concerned that there may be an
20 overabundance of crossings, but I find that it's
21 just a normal thing.

22 Another thing I need to point out
23 regarding emissions is previously we had heard that
24 there is about 1,000 people on a train, and we know

1 that the locomotive has 3,000 horsepower. That
2 mathematically brings it down to three horsepower
3 per passenger. No matter how you slice it, nobody
4 at MIT could develop a vehicle that could be safe
5 and travel at 70 miles an hour, and yet have that
6 sort of efficiency.

7 So clearly, commuter rail is
8 environmentally hands down the only mode that is
9 going to achieve the goal of clean air and meet the
10 demand of traffic mitigation, so on and so forth.

11 I also would like to touch real briefly
12 on the saltwater and freshwater water resource
13 areas. If you look at the Rockport Line, you'll
14 see that very much like this line, there are
15 shellfish beds that are intersected by freshwater
16 sources. There are barrier beaches that are
17 impeded upon by the right-of-way. There are none,
18 there never have been, and there most likely never
19 will be any environmental impacts from the presence
20 of a railroad right-of-way.

21 And I will stand here before you and
22 say as the only person in this room that actually
23 drives a train that as far as wildlife impacts are
24 concerned, it has been my experience in the last 32

1 years that it's virtually none. I have more of an
2 impact when I'm driving my car to work than when
3 I'm driving a locomotive.

4 The other last issue I would like to
5 touch on is the Federal Railroad Administration's
6 relationship with our international organization,
7 as far as railroad crossings are concerned. We
8 will be ready; we will be prepared to work with
9 you, the MBTA, as we already do, and with the
10 carrier and with the Army Corps of Engineers in
11 regards to identifying and mitigating crossings as
12 the local communities see fit. This is their
13 community. They're the ones that have to deal with
14 the impacts of safety measures that have to be
15 brought by the Federal Railroad Administration to
16 regulations on railroad crossings.

17 And, of course, we are the ones who are
18 doing all the crossings, too, so we have a vested
19 interest, probably more so than any other
20 organization, as far as crossing safety is
21 concerned.

22 I'm going to be submitting written
23 reports within the next 10 days, and I appreciate
24 the opportunity to talk with you.

1 MODERATOR ROSENBERG: Thank you, sir.

2 Next speaker, Shan Morrissey [sic]. I
3 guess that would be Shane.

4 SHAN MORRISSEY: Actually, it's even
5 more. It should be Shan.

6 My name is Shan Morrissey. I live in
7 Scituate. Thank you for having this hearing today.

8 Because of the time constraints, I'm
9 not going to read it, but I would like the audience
10 to take advantage of looking at the Corps'
11 environmental operating principles, and that is
12 what I kept in mind as I looked at what the issues
13 are with the Greenbush Line.

14 The environmental operating principles
15 are very important to look at. They discuss
16 starting to achieve environmental stability. One
17 of the most important statements in this is
18 environment maintain and as healthy diverse and
19 sustainable conditions necessary to support life.

20 It also talks about accepting corporate
21 responsibility, recognizing the independence of
22 life and the physical environment, and proactively
23 considering environmental circumstances, which I
24 think is a huge concern in this state.

1 The goal of Greenbush is to reduce
2 pollution by reducing the number of vehicles
3 traveling to and from Boston. The corridor does
4 not acknowledge scientific studies that detail the
5 polluting and cancer-causing effect of diesel
6 particulates.

7 Wouldn't it be a better idea to utilize
8 existing, nonpolluting technology, rather than to
9 use an aging system? A healthy and diverse and
10 sustainable environmental condition is necessary to
11 support life.

12 With this principle in mind, many
13 people are confused by the current treatment that
14 wetlands and protected species are receiving or not
15 receiving along the rail bed. There are many
16 sections that cross wetlands where state protected
17 species are known to exist. There have been plans
18 to build tunnels under the beds in discussion of
19 recreating wetlands.

20 There is a recent study in the Journal
21 of Nature regarding the effects of sedimentation
22 and vernal pools. It found as little as one-fifth
23 of an inch of sedimentation is used to convert from
24 10,000 to 27 -- 27. The recreation of vernal pools

1 by scraping up the bottom of pools and moving it is
2 going to have serious negative impacts by reducing
3 one of the first, earliest levels in the food
4 chain.

5 The Corps knows that there are
6 protected species in verified vernal pools along
7 this line, as does the T in its wetlands findings.
8 Wetlands permits have not yet been issued, and yet
9 the T has been violating the Wetlands Protection
10 Act and Endangered Species Act by cutting brush
11 right up to the edge of these vernal pools and
12 impacting endangered species.

13 Why haven't they been fined for this?
14 If the T is allowed to do this, even before they
15 receive permits, what do we have to watch for after
16 they are permitted?

17 One of the principles is
18 responsibility, the responsible action necessary to
19 utilize preexisting roadways, and nonpolluting
20 technology. Stop the destruction of the wetlands,
21 protect the species and our public water supply.

22 There are new sources of public water
23 that have been on research and discovery in
24 Scituate, and that information will be submitted,

1 but that has not been considered.

2 Thank you.

3 MODERATOR ROSENBERG: Thank you.

4 Jack Crowley.

5 JACK CROWLEY: Thanks. I would like to
6 thank the Corps for fulfilling their obligation to
7 provide an objective analysis to this project. I
8 know you have been at it. It's nice to have
9 somebody out there that is looking at this
10 objectively.

11 I guess, in summary, you know, I think
12 this project is an environmental and a fiscal
13 disaster, and I think the Corps correctly has
14 focused on the environmental impact. And I think
15 there's many issues, a couple I would like to focus
16 on.

17 You know, it seems like the MBTA has
18 made a bunch of promises to the town that they have
19 reneged as they go forward with this design.
20 Specifically, the Nantasket Junction Station.
21 Initial promise of the T was to install
22 four-quadrant gates, to also provide an entrance
23 and exit on both Summer and Kilby Streets, and also
24 to purchase enough land to ensure adequate parking

1 in case of overflow.

2 In a recently designed, recently
3 released design/build plans, each of these promises
4 have been reneged upon. In addition, the T is
5 proposing 30-foot lights in the station, which is
6 located in the middle of a residential
7 neighborhood.

8 It is becoming clear that the T's
9 methodology is to make promises they have no
10 intention of fulfilling, in order to get momentum
11 for the project to be pushed through. I applaud
12 the Corps for holding the T accountable for
13 their -- to their past -- of complying with the 106
14 Act, and also to hold up to their promises.

15 Finally, I would like to address the
16 filling of the wetlands. Again, specifically, the
17 Nantasket Junction area, there are many low lying
18 wetlands in this area that the MBTA is proposing to
19 fill. This area already floods in heavy rain, and
20 I am concerned about the infusion of diesel fuel
21 and other toxins that that will undoubtedly find
22 its way into these wetlands.

23 This project does not make sense, and
24 the T has not fulfilled its obligations to provide

1 an objective and complete and truthful analysis. I
2 urge the Corps to deny any permits for this project
3 until the T fulfills their obligation to the
4 taxpayers.

5 Thank you very much.

6 MODERATOR ROSENBERG: Thank you, sir.

7 Next, Ruth Anne Beck.

8 Richard Nese.

9 John Hovorka.

10 Catherine Rein.

11 John Grayken.

12 Is there anybody here who has not given
13 testimony and wishes to do so?

14 Sir, we said that we'd be here until
15 four. If I could suggest we recess until we
16 reconvene, if somebody should show up until four
17 o'clock. And then at 4:00, we close down for the
18 seven o'clock hearing.

19 Ladies and gentlemen, we will be in
20 limbo until 4 o'clock. If you care to give
21 testimony until that time, you're welcome at the
22 microphone, and continue to take testimony. At
23 four o'clock, we will recess until 7:00; and at the
24 time we reconvene, we will restate the authority,

1 and again, we reserve presentation from the permit
2 application.

3 You will -- you're reminded we will
4 continue to hear testimony utilizing our protocol.

5 For your convenience, if you have long
6 statements, a stenographer is available in the
7 reception area where you can dictate your
8 statement, rather than making formal presentations.

9 We will reopen registration at 6:00
10 p.m. for the evening session. If you have already
11 filled out a card, you're welcome to change it and
12 have -- and speak then, if you haven't already done
13 so. So we will remain here until 4:00 p.m. and
14 then recess.

15 Thank you.

16 (Whereupon, there was a short break
17 taken.)

18 MODERATOR ROSENBERG: This is
19 Mr. Robert Montgomery, 171 Summer Street, giving
20 testimony on the record.

21 ROBERT MONTGOMERY: Yes. I live about
22 three houses away from where the parking lot is
23 going to be at the Nantasket Station here in
24 Hingham, and I have been to several of the meetings

1 that they've had over the past few years. Whenever
2 I asked a question of how they determined how much
3 parking space they needed, did they do any
4 professional surveys?

5 I can never get an answer from them,
6 and it looked like they just found the land and
7 backed into the number of spaces by dividing it up
8 into spaces.

9 And at the mitigation hearings with the
10 town, they addressed that parking on the street
11 problem by saying we can grow into the property
12 that we were originally going to use for parking
13 when the project first started, if we have to. In
14 the meantime, someone bought that property, and
15 they have built houses on it, so that expansion
16 potential for the parking is no longer there. And
17 the rest of the potential land for such an activity
18 is conservation. So my concern is the parking on
19 the streets period.

20 The other concern is the height of the
21 lights. They told us they would be lower lights.
22 Now, they are talking about 30-foot lights. And I
23 live within range of the lights and the parking
24 lot, so I'm concerned about that.

1 And the other one, which is the one
2 everybody is concerned about, is the safety at the
3 crossing; the difference between what they said we
4 were going to get on the quadrants versus what is
5 in the plan, which has changed. So those are my
6 three comments.

7 I appreciate the chance to have the
8 opportunity.

9 MODERATOR ROSENBERG: Thank you,
10 Mr. Montgomery. Thank you very much.

11

12 (Whereupon, the hearing was suspended
13 at 4:00 p.m.)

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1 EVENING SESSION

2

3 MODERATOR ROSENBERG: Good evening.

4 Good evening and welcome to this public hearing
5 regarding the construction of the commuter rail
6 service on the Greenbush branch of the Old Colony
7 railroad line.

8 My name is Larry Rosenberg. I'm the
9 Chief of Public Affairs for the United States Army
10 Corps of Engineers in New England. Our
11 headquarters is located in Concord, Massachusetts,
12 and I will be your Moderator/Facilitator this
13 evening.

14 I now declare this hearing reconvened
15 from the afternoon session.

16 Our Hearing Officer tonight is
17 Lieutenant Colonel Brian Green, our Deputy District
18 Engineer for the Corps of Engineers in New England.

19 Should you need copies of the public
20 notice, the hearing procedures, or other pertinent
21 information, it is available at the registration
22 desk.

23 Following this introduction, Colonel
24 Green will address the hearing. That will be

1 followed by the applicant, the Massachusetts Bay
2 Transportation Authority, that will give a short
3 description of the permit application. I will then
4 review the Corps of Engineers' responsibilities in
5 this process and explain the hearing procedures we
6 will be using this evening. Following that, I will
7 open the floor to comment, utilizing our hearing
8 protocol.

9 Before we begin, I'd like you to -- I
10 would like to remind you the importance of filling
11 out those cards that are available at the door.
12 These cards serve two purposes: First, they let me
13 know that you're interested in this permit so that
14 the Corps can keep you informed; second, they
15 provide me a list of who wishes to speak this
16 evening. If you did not complete the card, but
17 wish to speak, or receive future information
18 regarding the MBTA permit application, one will be
19 provided at the desk.

20 Additionally, a stenographer is also
21 available in the reception area right across the
22 hall, should you wish to dictate a statement for
23 the record rather than making a formal
24 presentation. There are no time limits on those

1 individual statements. There will be a time limit
2 this evening of three minutes.

3 One additional reminder, we're here
4 tonight to receive your comments, not to enter into
5 any discussion of those comments or to reach any
6 conclusions. Any questions you have should be
7 directed to the record, not to the individuals on
8 this panel.

9 Ladies and gentlemen, Colonel Green.

10 LIEUTENANT COLONEL BRIAN GREEN: I
11 would like to welcome you tonight to this public
12 hearing regarding the permit application from the
13 MBTA on the proposed construction of the commuter
14 rail service on the Greenbush branch of the Old
15 Colony railroad line in the Towns of Braintree,
16 Weymouth, Hingham, Cohasset and Scituate. I would
17 also like to thank you for involving yourself in
18 this environmental review process.

19 I'm Lieutenant Colonel Brian Green of
20 the New England District US Army Corps of
21 Engineers. Again, our headquarters is located in
22 Concord, Massachusetts. Other Corps of Engineers
23 representatives with me tonight include: Chris
24 Godfrey, our Chief of Regulatory; Ted Lento, our

1 Permit Project Manager, and Larry Rosenberg, our
2 Chief of Public Affairs, who will facilitate
3 tonight's hearing.

4 Tonight's hearing is being conducted as
5 part of the Corps of Engineers' regulatory program
6 solely to listen to your comments. By conducting
7 these public hearings, we, the Corps of Engineers,
8 continue to fulfill our regulatory requirements to
9 seek public comment and input related to the MBTA
10 proposal.

11 Our role in this permit process is
12 defined by Section 404 of the Clean Water Act, by
13 Section 10 of the Rivers and Harbors Act, and as
14 required by Section 106 of the National Historic
15 Preservation Act.

16 While no decision will be made tonight,
17 my decision to issue or deny the permit will be
18 based on an evaluation of the probable impacts of
19 the MBTA's proposed activity, and your comments
20 will be considered in evaluating whether the permit
21 application is issued or denied.

22 Accordingly, please feel free to
23 provide comments if you would like to enter into
24 the record either in this hall, or again, directly

1 to the stenographer located outside of this
2 auditorium in the informational area.

3 Additionally, I will receive any
4 written comments tonight and until April 25th,
5 2003. I assure you that all of your comments,
6 written or oral, will be addressed during this
7 process, will be treated equally on the record, and
8 will be considered in my decision.

9 It is crucial to this public process
10 that your voice is heard, and we're here to listen
11 to your comments, to understand your concerns, and
12 to provide you an opportunity to put your thoughts
13 on the record should you care to do so.

14 A prior public hearing was held in
15 August of 1997, that was attended by over 500
16 people. At that time, we received extensive
17 comments, both oral and written, that have been
18 incorporated into our records and will be
19 considered fully in our decision process.

20 Since then, there have been many
21 project changes proposed by the MBTA, and this
22 hearing is your opportunity to provide comments on
23 these changes.

24 Once again, I remind you that prior

1 comments that we receive will be considered, and I
2 encourage you to focus your comments tonight on the
3 new project elements that have been proposed since
4 our last hearing in 1997.

5 I'd also like to emphasize that this is
6 your hearing, and we need you to assist us in this
7 public review process.

8 To date, no decision has been made by
9 the Corps of Engineers with regard to this permit.
10 It is my responsibility to evaluate both the
11 environmental and socioeconomic impacts prior to
12 making any decision; and in order to accomplish
13 that, I need your input.

14 Thank you.

15 MODERATOR ROSENBERG: Thank you, sir.

16 Ladies and gentlemen, Andrew Brennan,
17 Director of Environmental Affairs for the
18 Massachusetts Bay Transportation Authority.

19 ANDREW BRENNAN: Thank you very much.

20 Again, my name is Andrew Brennan. I am
21 the Executive Director of Environmental Affairs for
22 the MBTA, who as indicated, is the permit applicant
23 here in the 404 process.

24 I just want to give a very brief

1 overview of what it is that we are doing and mostly
2 I am going to focus on certain changes that have
3 been made to the project.

4 The MBTA initially filed a Section 404
5 permit application with the Army Corps of Engineers
6 in the summer of 1997. As it was said, a very
7 large public hearing was held on that in the summer
8 of '97, and public comments were taken.

9 Since that time, there has been a
10 regulatory process on a number of fronts that has
11 occurred, and some changes have occurred to the
12 project since then that I want to just very quickly
13 touch on some of the major elements of.

14 On the regulatory front, that filing of
15 that permit was a takeoff for a number of
16 regulatory processes, the first of which led to the
17 Army Corps of Engineers in September of 1999
18 issuing what is referred to as the LEDPA, a draft
19 LEDPA statement, the Least Environmentally Damaging
20 Practicable Alternative, in which a series of
21 alternatives had been looked at and a determination
22 was made as to which of the alternatives
23 passed -- which met the purpose of the project, had
24 the least environmental damaging impact. And that

1 determination was made in the fall of 1999.

2 That determination then began the
3 Section 106 process, or the Historic Preservation
4 process, which was a series of consultation
5 sessions held with the communities along the line,
6 as well as with the Army Corps of Engineers, and
7 then the State Historic Preservation Officer
8 looking at the assessment of impacts on properties,
9 what the affects would be, and what the proposed
10 mitigation would be. That -- that process ended
11 with, or I should say, got some milestones out of a
12 programmatic agreement that was signed by the Army
13 Corps of Engineers, by the MBTA, and by the Mass
14 Historic Commission, and the State Preservation
15 Officer, which looked in or looked at what
16 the -- what the impediments were and then developed
17 a process by which they indicated the design and
18 review, and there would be a review of design
19 documents by the parties to see that those
20 preservation issues, those historic effects were
21 being continually monitored and continually
22 assessed.

23 That process is ongoing. We have been
24 going through design review for the most part of

1 the sections, 60 percent design on certain sections
2 and be coming into 90 documents, and those design
3 documents are being reviewed by the parties,
4 including municipalities along the line. And that
5 is all under the federal regulatory process.

6 We also completed under the state
7 regulatory process our MEPA review. We finished
8 and filed our final EIR in 2001 -- 2001, and we got
9 a certificate of approval in the summer of 2001,
10 which has then started a state wetlands permit
11 process with the Department of Environmental
12 Protection and other agencies. And we are in the
13 midst of that state permit practice, which is
14 somewhat parallel to this federal process that we
15 are under right now.

16 In December of this past year, we filed
17 an update to that 1977 permit filed with the Army
18 Corps, an updated permit application that had in it
19 a number of changes. The major ones I'm going to
20 identify. There are a number of changes, several
21 of which have a specific impact or a connection to
22 wetland resources, and some had a connection to
23 historic or cultural resources.

24 On the wetland resources, the major

1 changes were the change in the location of a
2 layover facility in Scituate, having moved from the
3 south side of the Driftway to the north side of the
4 Driftway avoiding a little over an acre of wetland
5 impacts on there.

6 And the second major change was the
7 change in location of the Nantasket Junction
8 Station from -- for those of you that are familiar
9 with maybe probably know what was the site of the
10 old Hingham Lumber is now the proposed location of
11 the MBTA station on Nantasket. We were going to
12 begin it across the track on the other side. We've
13 now switched it over to the Hingham Lumber side,
14 which avoids a significant acreage of wetland
15 impacts there, too.

16 There are also a number of other
17 smaller resource areas that had been avoided by the
18 use of retaining walls, changes in design, changes
19 in culvert design, and all of which are identified
20 in that inventory in the permit application.

21 As for historic issues, there are two
22 major changes that occurred. One was the building
23 in the Hingham underpass, about an 800-foot
24 underpass in downtown Hingham to avoid the impacts

1 to the historic district there, as well as
2 to -- excuse me -- as well a change in the design
3 of the Weymouth Landing area where we had proposed
4 at the time of the application to go at grade
5 through Weymouth Landing. We looked at that going
6 through the viaduct and ultimately chose to go what
7 we call a shallow cut, basically a depressed area
8 underneath it to avoid having those impacts. Both
9 of which serve to avoid impacts of historic
10 resources.

11 Again, there are a number of other -- a
12 long list of other design changes that were made on
13 a much smaller scale that either avoid or better
14 mitigate the impacts of the historic resources, and
15 they, again, are identified in this project -- in
16 this permit update.

17 At the end of the day, we end up with
18 3.41 acres of wetland impacts along the 18-mile
19 corridor. And we propose in this application to do
20 a series of wetland replications, enhancements and
21 wetland preservations for a total of -- we are
22 proposing just under nine acres of wetland
23 replications and mitigate the 3.4 that we are
24 impacting. We also are proposing about two and a

1 half acres of wetland enhancement, as well as a
2 total of about a little over 18 acres of land
3 preservation left here, wetland preservation or
4 upland preservation, and that those categories of
5 things all of which add up to offset and to
6 mitigate the 3.4 acres of wetland impacts that will
7 be unavoidable as a result of the project.

8 All of this is designed -- is defined
9 and described in much greater detail than I just
10 gave you in this document, which I believe, not in
11 the binder version, but a paper version is out on
12 the outside foyer.

13 We appreciate the Army Corps having
14 this hearing. We look forward to an exhaustive
15 public review, and we will focus in on your
16 comments we have from both this afternoon and this
17 evening.

18 So thank you very much.

19 Thank you.

20 MODERATOR ROSENBERG: Thank you.

21 Ladies and gentlemen, I'd like to
22 briefly review the Corps of Engineers'
23 responsibilities in this process.

24 First, the Corps' jurisdiction in this

1 case is Section 404 of the Clean Water Act, which
2 regulates the discharge of dredged or fill
3 materials in waters of the United States, including
4 wetlands. And Section 10 of the Rivers and Harbors
5 Act of 1899, which authorizes the Corps to regulate
6 certain structures or work in or affecting
7 navigable waters in the United States.

8 Second, the detailed regulations
9 explain the procedures for evaluating permit
10 applications is Title 33, Code of Federal
11 Regulations, Parts 320 through 330, and that was
12 published on November 13, 1986, in the Federal
13 Register.

14 Third, the Corps' decision rests on
15 several important factors:

16 1. The Corps evaluates individual
17 permit applications for the discharge of dredged or
18 fill materials under the 404 (b)(1) guidelines.
19 These guidelines prepared by the Environmental
20 Protection Agency in consultation with the Army
21 Corps of Engineers are the federal environmental
22 regulations for evaluating the filling of waters
23 and wetlands and are designed to avoid unnecessary
24 filling.

1 Second, the Commonwealth of
2 Massachusetts must issue or waive the requisite
3 Water Quality Certification, and the Coastal Zone
4 Management Agency must certify that the work is
5 consistent with coastal zone policies.

6 Third, the Corps of Engineers
7 coordinates compliance with related federal laws.
8 These include: The National Environmental Policy
9 Act; the Endangered Species Act; and the
10 Presidential Executive Order 11988 regarding flood
11 management.

12 Additionally, in accordance with the
13 National Historic Preservation Act, which provides
14 for full consideration of impacts on historic
15 properties, we will strive to avoid or minimize
16 effects on historical properties and adhere to the
17 goals of that statute and other applicable laws
18 dealing with historical properties.

19 Finally, the decision whether to grant
20 or deny a permit is based in part on a
21 public -- public interest review of the probable
22 impact of the proposed activity and its intended
23 use. This review takes into consideration all
24 comments received and other relevant factors.

1 The hearing this evening will be
2 conducted in a manner that all who desire to
3 express their views will be given an opportunity to
4 speak. To preserve the right of all to express
5 their views, I ask that there be no interruptions.

6 When you came in, copies of the public
7 notice and the procedures to be followed at this
8 hearing were available. If you did not receive
9 these, those are available in the reception area.
10 I will not read either of the hearing procedures or
11 the public notice, but they will be entered into
12 the record.

13 The record of this hearing will remain
14 open, and written comments may be submitted
15 tonight, or by mail until April 25th, 2003. All
16 written comments receive equal consideration with
17 oral statements made this evening.

18 In order to make any decisions
19 regarding this permit application, we, the United
20 States Army Corps of Engineers, need to hear from
21 you, the individuals most affected by this project.

22 But before we begin, I would like to
23 remind you once again about the importance of
24 filling in those cards. As I said, they serve two

1 purposes: They tell us whether you want to stay
2 interested in this process so we can put you on the
3 mailing list; and two, they give me a list of who
4 is going to speak tonight. So if you haven't
5 filled out the card and wish to speak or receive
6 information, please fill out that card.

7 Colonel Green, sir, if there is no
8 objection, I would like to now dispense with the
9 reading of the public notice of this hearing, have
10 it entered into the record.

11

12 * * * * *

13

14 PUBLIC NOTICE

15

16 The Massachusetts Bay Transportation Authority
17 (MBTA) has requested a Corps of Engineers permit
18 under Section 10 of the Rivers and Harbors Act of
19 1899, and Section 404 of the Clean Water Act to
20 place fill material within a total of 7.81 acres of
21 wetlands and waterways for the construction of the
22 Greenbush Old Colony Railroad commuter line through
23 the Towns of Braintree, Weymouth, Hingham,
24 Cohasset, and Scituate, Massachusetts.

1 Construction will include installing approximately
2 18 miles of rail line and seven new commuter rail
3 stations and an end of the line layover facility.
4 Total permanent and temporary wetlands and waterway
5 impacts within Corps jurisdiction associated with
6 the proposed work are as follows: 3.41 acres
7 (148,575 square feet) of permanent impact wetlands,
8 4.02 acres (175,272 square feet) of temporary
9 impacts to wetlands, 0.082 acres (3,571 square
10 feet) of permanent impact to waterways, and 0.30
11 acres (12,979 square feet) of temporary impacts to
12 waterways. The wetland and waterway areas to be
13 filled are located by station number on the
14 attached locus maps numbered 1 through 5 and
15 further described on the attached table entitled
16 "TABLE B1, SUMMARY OF WETLANDS IMPACTS BY TOWN."
17 More detailed project plans entitled "OLD COLONY
18 REHABILITATION, Greenbush Line" on 132 sheets dated
19 November 6, 2002 are available upon request.

20 In April of 1997 the MBTA first
21 submitted a permit application for this proposed
22 work and a public notice was issued May 6, 1997.
23 The MBTA subsequently has modified the project and
24 submitted a revised permit application that is the

1 subject of this current public notice.

2 Numerous alternatives as identified in
3 the attached Table A-1 were considered and six of
4 those alternatives were evaluated in greater detail
5 in order to ensure that all feasible means to avoid
6 damage to the environment were considered, and that
7 unavoidable damage to the environment was minimized
8 and mitigated to the maximum extent practicable.

9 The six major alternatives considered in the
10 Greenbush corridor for transportation improvements
11 were: 1) No-Build; 2) Transportation System
12 Management (TSM); 3) Commuter boat service with
13 expanded Hingham terminal and feeder bus service;
14 4) Commuter bus service with expanded Hingham
15 terminal and new terminals in Nantasket and/or
16 Quincy with feeder bus service alternatives;
17 5) Commuter rail service entirely at-grade; and
18 6) Commuter rail service including a tunnel under
19 Hingham Square.

20 The project purpose for the restoration
21 of the Greenbush Line of the Old Colony Railroad
22 is:

23 * To meet the Greenbush Line corridor's needs
24 for transit services;

- 1 * To reverse the growing isolation of the
2 Greenbush Line corridor;
- 3 * To increase mobility by increasing transit
4 capacity, ridership, accessibility,
5 reliability, and comfort;
- 6 * To reduce transit travel time and traffic
7 congestion;
- 8 * To alleviate the burden on existing roadway
9 and transit facilities and services, such
10 as parking facilities, the Red Line system,
11 Route 3, and the Southeast Expressway;
- 12 * To reduce fuel consumption and air
13 pollution;
- 14 * To provide cost-effective transit services
15 by maximizing the use and capacity of
16 existing facilities and maximizing the
17 natural advantages of each mode of
18 transportation within a multi-modal
19 approach to transportation improvements;
- 20 * To help the regional Intermodal
21 Transportation Systems (ITS) program to
22 achieve improvements in air quality,
23 including specific commitments to provide
24 rail service (or transit service with

1 equivalent ridership) in the Greenbush
2 Corridor. This commitment is part of the
3 Commonwealth's Federally-approved State
4 Implementation Plan pursuant to the Federal
5 Clean Air Act and the state's mitigation
6 agreement for the Central Artery Project.

7 * To ameliorate inequities in the existing
8 Boston metropolitan area transportation
9 system by increasing services in the now
10 poorly served Greenbush Line corridor and
11 by increasing access for disabled
12 individuals or individuals with special
13 needs.

14 The MBTA has developed a Wetland
15 Mitigation Plan to replace lost wetlands functions
16 and values of areas impacted by the Project. The
17 mitigation sites are described further in the
18 attached Table B-2 SUMMARY OF WETLAND MITIGATION
19 MEASURES and the locations are noted on the
20 attached locus maps numbered one through five.
21 Restoration and replication areas have been
22 designed to compensate for the wetlands functional
23 values lost or impaired by the proposed wetlands
24 impacts. The overall mitigation goal is to provide

1 mitigation to impact ration of 2:1.

2 This project will impact Essential Fish
3 Habitat (EFH) for smelt, herring and alewife. This
4 habitat consists of tidally influenced streams
5 including Town Brook in Hingham and Smelt Brook in
6 Weymouth. Loss of this habitat may adversely
7 affect spawning and anadromous fish runs for smelt,
8 herring and alewife during construction however
9 time of year restrictions have been proposed to
10 minimize impacts. With the inclusion of the time
11 of year restrictions, the District Engineer has
12 made a preliminary determination that the
13 site-specific adverse effect will not be
14 substantial. Further consultation with the
15 National Marine Fisheries Service regarding EFH
16 conservation recommendations is being conducted and
17 will be concluded prior to the final decision.

18 In order to properly evaluate the
19 proposal, we are seeking public comment. Anyone
20 wishing to comment is encouraged to do so.
21 Comments should be submitted in writing by the
22 above date. If you have any questions, please
23 contact Ted Lento at (978) 318-8863, (800) 343-4789
24 or (800) 362-4367, if calling from within

1 Massachusetts.

2 Any person may request, in writing,
3 within the comment period specified within this
4 notice, that a public hearing be held to consider
5 the application. Requests for a public hearing
6 shall specifically state the reasons for holding a
7 public hearing. The Corps holds public hearings
8 for the purpose of obtaining public comments when
9 that is the best means of understanding a wide
10 variety of concerns from a diverse segment of the
11 public.

12 Crystal I. Gardner
13 Chief, Permits & Enforcement Branch
14 Regulatory Division

15

16 * * * * *

17

18 MODERATOR ROSENBERG: A transcript of
19 this hearing is being made to assure a detailed
20 review of all the comments. A copy of the
21 transcript will be made available at our Concord,
22 Massachusetts, headquarters for your review, or you
23 can go on the website and download a copy of it; it
24 will be available in about two weeks. There are

1 cards out in front, and you can get the link if you
2 so desire, or you may make arrangements on your own
3 with the stenographer for a copy at your expense.

4 When making a statement, please come
5 forward to the microphone, get pretty close to it,
6 state your name and the interest you represent. As
7 there are many who are -- wishing to provide
8 comment tonight, as I said, you will be provided
9 three minutes to speak, no more.

10 The traffic light in the front will
11 indicate the following: When that green light
12 comes on, you'll have two minutes remaining; when
13 the amber light comes on, you'll have one minute
14 left; and when the red light comes on, that
15 identifies that the time has expired.

16 Please identify if you are speaking for
17 or representing a position of an organization. If
18 you're speaking for yourself as an individual,
19 please say so. I want to emphasize that all who
20 wish to speak tonight will have that opportunity.

21 Now, once again, for your convenience,
22 a stenographer is available in the reception area,
23 and should you wish to dictate a record -- a
24 statement for the record, rather than to make the

1 time limited formal presentation, please make
2 yourself available to her.

3 These statements along with all written
4 statements submitted tonight, or by April 25th,
5 will receive equal consideration with those
6 presented here this evening.

7 We will now receive your comments
8 according to our hearing protocol.

9 The first individual to provide comment
10 is Senator Robert Hedlund, of the South Shore. He
11 will be followed by Walter MacIver from the Town of
12 Hingham.

13 SENATOR ROBERT HEDLUND: Thank you.
14 You caught me off guard. I heard my name, I was
15 down the hall, and I heard my name reverberate down
16 the hallway. I'll just be very brief.

17 I'm basically here as State Senator
18 representing the impacted communities. Up until
19 recently, the entire line and after legislative
20 redistricting, all but the Braintree portion of
21 this line. I have been in office a total of 10
22 years now throughout this debate; and I would just
23 say that I'm basically here to reinforce and
24 buttress the comments that you have heard earlier

1 today, that you've heard throughout this process,
2 and you'll hear later this evening by the town
3 officials representing the impacted communities,
4 interested parties, and various members of the
5 negation committees that have been extremely
6 closely involved with this process for some time
7 now to speak about many of the unresolved issues
8 and the impacts from this project, both safety and
9 environmental.

10 I will zero in just on one of those
11 many, many issues that you have already heard about
12 and will hear about, and that is the issue of the
13 quadrant gates to reiterate some things that have
14 been said before by me and others. This has been
15 something that has been negotiated by the MBTA with
16 the impacted communities. It was something that
17 was promised, and we really feel that there is an
18 ample amount of evidence based on areas where the
19 quadrant gates are utilized around the country that
20 provide sufficient data relative to safety; and we
21 feel that it is something that is needed for the
22 communities from a safety standpoint. We don't
23 believe that they are experimental in nature, as
24 the MBTA claims, given the performance of the

1 quadrant gates throughout the high speed rail
2 corridor to New York and Boston and several other
3 states, including California and Illinois. I'll
4 again be brief, because I know you have many people
5 who want to speak, but I want to add one comment of
6 a somewhat personal nature, and that is that I said
7 as a representative of these communities that are
8 impacted by the project, this has been dragging on
9 for a number of years, as you know. I served on
10 the Transportation Committee since taking office,
11 and I have to say that much of this project, I
12 believe, has been driven by politics, as opposed to
13 transportation policy, and we do need relief in
14 this area. We do need mass transportation
15 alternatives, but when you look at
16 cost-effectiveness by the MBTA's own standards,
17 the impacts to the communities' safety issues, and
18 stand those up next to the alternatives, I believe
19 that alternatives were given a short shrift by the
20 transportation agency, and that is something that,
21 I think, has driven this to the fact that the
22 political decisions made took precedence over
23 political decisions, and I don't believe that is
24 the case, I might add, to this current

1 administration, why you are seeing -- which is why
2 you are seeing this reevaluation of this particular
3 issue.

4 So I thank the Corps for its
5 attentiveness, and your sound judgment, which I
6 know you have displayed, as we move forward in this
7 process.

8 Thank you.

9 MODERATOR ROSENBERG: Thank you, sir.

10 (Applause.)

11 MODERATOR ROSENBERG: The next
12 speaker --

13 (Applause.)

14 MODERATOR ROSENBERG: Thank you. Thank
15 you.

16 Once again, I need to remind you that
17 this hearing is going to be conducted in a manner
18 that all who desire to express their view will be
19 given that opportunity to speak; and to preserve
20 the right for all to express their views, I ask
21 there be no interruption.

22 The next speaker, Matthew MacIver. He
23 will be followed by Philip Edmundson.

24 MATTHEW MacIVER: Mr. Rosenberg, Mr.

1 Lento, Colonel Green, Ms. Godfrey, I am Matthew
2 MacIver. I am Chairman of the Board of Selectmen
3 here in Hingham.

4 And as Bob said, many others will speak
5 following me regarding a wide variety of topics
6 about the substance and the process of this
7 particular project. And as a member of the Board
8 of Selectmen, I have a particular interest in all
9 of them.

10 As the only current member of the Board
11 of Selectmen, who has signed a Memorandum of
12 Understanding between Hingham and the MBTA of
13 occupied advantage points to observe the evolution
14 of issues of both substance and process over the
15 last several years from a rather unique
16 perspective, and so I would like to use that to
17 place the comments and speakers who fall into that
18 perspective.

19 You'll hear issues related to public
20 safety tonight. You've already heard Senator
21 Hedlund relate the issues related to four-quadrant
22 gates. I would like to remind you that this
23 hearing that the Town of Hingham has signed a
24 Memorandum of Understanding with the MBTA that

1 requires the use of four-quadrant gates pending no
2 conflict of federal policy, and we expect that that
3 memorandum will be followed.

4 You'll hear issues related to the
5 historic fabric of the Town. You're going to hear
6 perhaps some issues related to the preservation of
7 important archeological resources that are of some
8 concern now that there are changes being made to
9 the routing of certain elements of the right-of-way
10 in the downtown area, no potential damage to
11 historical houses, and then visual pollution
12 related again to the four-quadrant gates, which are
13 of tremendous concern to us in the Town.

14 You'll hear issues related to the
15 environment and environmental impacts, particularly
16 from the engineering standpoint, the size of the
17 stormwater outfalls, which we believe is inadequate
18 compared to the recommendation of our engineers,
19 who are using a different set of standards that we
20 believe are more pertinent to the -- to the
21 environmental conditions that we see here in our
22 more urban area.

23 And also some questions regarding
24 a -- I thank Mr. Brennan for his update on the

1 recovery of wetlands in the plan there, but we'll
2 hear about that. But from our perspective as
3 selectmen, it's pretty operational issues. This is
4 one of the complex design/build projects undertaken
5 in the country, and it's very unchartered
6 territory. We have been trying to implement this
7 plan from our side with the succession of plans
8 that have been submitted incrementally without
9 relation to others you are being called to comment
10 on them and without comments from our conservatory
11 and other parties that are required to comment on
12 them. And that makes it very difficult from our
13 perspective.

14 And also just, I think, in -- in
15 finishing up here, that -- that it's very difficult
16 for a design/build project to really move ahead on
17 the basis of its standardization approach, which we
18 believe is being applied in situations that really
19 can't be standardized. And I would urge the Corps
20 to look at the design documents and the problems
21 that we face in that kind of context and to review
22 them in that light.

23 Thank you very much. Welcome to
24 Hingham. And I appreciate your time and effort.

1 MODERATOR ROSENBERG: Thank you, sir.

2 The next speaker, Philip Edmundson,
3 followed by C.Y. Chittick.

4 PHILIP EDMUNDSON: Thank you,
5 gentlemen, Madam, Colonel. I am a member of the
6 Hingham Board of Selectmen, and I would like to use
7 my short time just to speak more specifically about
8 the issue of four-quadrant gates.

9 This is hardly a new technology, as I
10 am assure you are aware. But you might be
11 surprised to find in the room across the hall a
12 mural with Hingham of old a hundred years ago, a
13 picture of our downtown, and find that
14 four-quadrant gates were the standard back then in
15 use, in good use in Hingham in an earlier time.

16 Four-quadrant gates are in use in
17 states around the country from Illinois, North
18 Carolina, to California, and as well as along the
19 lines of the new Accela Express between Boston and
20 New York City.

21 I would like to leave with you this
22 evening a copy of the report on one specific
23 project. It is the most current one that we could
24 find that seemed to be relevant from an

1 environmental consulting firm working for the City
2 of Cary, North Carolina, a city of about 100,000
3 people near Raleigh, which similar to Hingham
4 looked and searched for alternatives to blowing the
5 horns and sensitive to historic and other sensitive
6 environmental areas. And the consultants after
7 thorough study concluded that the option which
8 provided maximum safety to the residents was
9 four-quadrant gate technology used among certain
10 parts of the line.

11 We hope and expect that the Army Corps
12 of Engineers should determine both what is feasible
13 and what is safe on the Greenbush Line; and we
14 appreciate your interest, your time and frankly,
15 your concern for all the citizens of the Town of
16 Hingham.

17 Thank you very much.

18 Do I leave that with you or should I --

19 MODERATOR ROSENBERG: The box right in
20 front.

21 Thank you, sir.

22 The next speaker is C.Y. Chittick. He
23 will be followed by Damon Reed.

24 CHARLES CHITTICK: My name is Charles

1 Chittick. I am the selectmen's member on the
2 Advisory Board, MBTA Advisory Board for 12 years.

3 Greenbush corridor town officials have
4 been willing to live with the project as long as
5 adequate mitigation is provided. The Memoranda of
6 Understanding detailed measures of mitigation to
7 mitigate many of the environmental concerns raised
8 over the last 15 years. In signing the MOU, the
9 Town, and presumably the Corps itself, assumed that
10 the team would live up to the mitigation
11 commitments to which it agreed. A welcome
12 commitment to do the job right.

13 Doing the job right, however, comes
14 with a cost. Indeed, costs have risen so high that
15 the Governor ordered a temporary halt to the
16 project to see whether the T had the financial
17 resources to do Greenbush at all, particularly with
18 the burden of mitigation, when it was added to the
19 basic sticker price.

20 This does not bode well for Greenbush.
21 Cashman/Balfour Beatty has already begun a frantic
22 campaign to cut corners, a little here, a little
23 there, but increasingly cutting into the very
24 marrow of agreed-upon litigation. Grade-crossing

1 treatment is but one example. Four-quadrant gates
2 were promised impending -- after pending FRA
3 regulations permitted. But instead, for instance,
4 at the Hersey/South Street crossing, that cries out
5 for four-quadrant gates, the T has proposed an
6 unrealistic, uniquely disruptive two-gate, median
7 barrier system that would unnecessarily shut down
8 all east-west traffic on South Street when trains
9 are traversing the crossing, limiting access to
10 scores of historic homes, a nearby convenience
11 store and the West Hingham fire station, all in the
12 name of paring costs to the bone.

13 How did this come about?

14 How did it come to pass and become the
15 norm up and down the line?

16 It is as simple as the disastrous
17 decision to undertake Greenbush on a fixed price, a
18 design/build contract that left determination of
19 the true costs to the future.

20 Cashman/Balfour-Beatty, perhaps
21 improvidently, underbid the competition by more
22 than \$100 million. Pressure to comply with this
23 unrealistic fixed price cap has already begun to
24 undercut the viability of the project and carried

1 to its logical extension will eventually test the
2 very integrity of the environmental review process
3 the Corps is committed to support.

4 The T must find the dollars to do the
5 job right, or bite the bullet, cancel the diesel
6 rail approach, and find a less expensive
7 alternative.

8 So I urge the Corps to put your rubber
9 stamp back in the box until the T guarantees it
10 will do the job right. Nothing short of a binding,
11 enforceable guarantee with no loopholes is
12 acceptable to the citizens and towns of the
13 Greenbush corridor, nor should anything less be
14 acceptable to the Corps of Engineers.

15 Thank you.

16 MODERATOR ROSENBERG: Thank you, sir.

17 Thank you.

18 (Applause.)

19 MODERATOR ROSENBERG: The next speaker
20 is Damon Reed. He will be followed by Denise
21 Brewer.

22 DAMON REED: Good evening. I am Damon
23 Reed. I am representing the North River
24 Commission, which represents the towns of

1 Marshfield, Scituate, Hanover, Norwell, Pembroke
2 and Hansen.

3 In 1978, the North River was designated
4 in Massachusetts the first scenic river; and to
5 this date, remains Massachusetts' only scenic
6 river.

7 In 1978, all property owners in the
8 entire length of the river agreed to have
9 restrictive covenants placed upon their properties
10 to preserve the character of the river, both the
11 scenic and the natural resources. To date, on two
12 occasions, the T has chosen to locate the layover
13 facility on the south side of the Driftway; on two
14 occasions the issue has been taken off the table.
15 The T does not have a good track record for keeping
16 this particular issue off the table.

17 We asked the Corps should the T ever
18 raise this issue again that you immediately decide
19 that it is not an allowed use. It would be a
20 double standard of the worst kind to cause hundreds
21 of property owners up and down the river, who are
22 not allowed to have a swimming pool within 100 feet
23 of the marsh; on the other hand, to allow the T to
24 install within 100 feet of the marsh open basins to

1 catch oil that they readily admit will constantly
2 drip from the trains while they are being stored,
3 it is a double standard that nobody should be asked
4 to live with.

5 Thank you.

6 MODERATOR ROSENBERG: Thank you, sir.

7 (Applause.)

8 MODERATOR ROSENBERG: Our next speaker
9 is Damon Reed, who will be followed by Denise
10 Brewer.

11 AUDIENCE PARTICIPANT: You mean Daniel
12 Brewer?

13 MODERATOR ROSENBERG: It could be.

14 AUDIENCE PARTICIPANT: He couldn't be
15 here tonight.

16 MODERATOR ROSENBERG: Is Damon Reed
17 here?

18 AUDIENCE PARTICIPANTS: He just spoke.

19 MODERATOR ROSENBERG: Okay.

20 DANIEL BREWER: My name is Daniel
21 Brewer. I'm speaking on behalf of the Hingham
22 Cemetery Corporation.

23 We submitted detailed comments and a
24 position statement on February 19th to the Corps,

1 and I'm happy to note and appreciate very much your
2 letter to Andrew Brennan on March 21st wherein you
3 stated that further consultations would be
4 scheduled in order to determine whether mitigation
5 measures proposed by the MBTA are adequate.

6 It remains our position that they are
7 entirely inadequate. Since our submittal, which we
8 copied to the MBTA, I have to note that we have had
9 a couple of discussions with them, but those
10 discussions have been limited solely here with the
11 desire to take land from the cemetery by eminent
12 domain; and their most recent suggestion that
13 cemetery property is, in fact, encroaching on the
14 right-of-way by the fact that we have had bodies
15 interred in cemetery lots since 1863 in an area
16 that they now claim to be part of the right-of-way.

17 It's important that if this project go
18 forward, it go forward properly; and if this
19 project go forward properly, that the impacts that
20 we know are going to take place be adequately
21 addressed and mitigated, and they have not been.
22 But it's also important that these mitigation
23 commitments be reflected in a binding document that
24 we can rely on.

1 I would like to add to the record
2 excerpts of the minutes of the Board of Directors
3 of my corporation going back to 1848, which
4 indicates that when the train first was proposed,
5 we had significant issues. These minutes and
6 documentation go through 1856. We hope for a
7 speedier resolution and a more successful
8 resolution of these impacts now than happened over
9 150 years ago. And it's interesting enough that
10 some of these issues still remain. We asked for a
11 wall back in 1848 or 1849. We expected that that
12 was going to be built. It was not built. We think
13 that it should be built, and we would like to see
14 it built now, and we would like to see a promise
15 made that we can rely on.

16 We appreciate your efforts in making
17 sure that the permit is not issued until the MBTA
18 has lived up to its obligations and
19 responsibilities, and we ask you to be vigilant to
20 make sure that that is the case.

21 Thank you.

22 MODERATOR ROSENBERG: Thank you, sir.

23 (Applause.)

24 MODERATOR ROSENBERG: Our next speaker,

1 Stephen Follansbee, to be followed by M. Fannin,
2 F-A-N-N-I-N, 271 Lexington Road.

3 STEPHEN FOLLANSBEE: Good evening. My
4 name is Stephen Follansbee. I am an attorney
5 speaking on behalf of the Town of Hingham.

6 Lieutenant Colonel Green and members of
7 the Corps, on behalf of the Town of Hingham,
8 welcome to our community, and thank you for your
9 consideration in carrying out your responsibilities
10 under the mandates of Section 404, Section 10 and
11 Section 106.

12 On behalf of our leaders and our
13 citizens, we would like to refer you to the many
14 comments made at the Section 106 hearing held on
15 February 5th, 2003.

16 We also respectfully call your
17 attention once again to the written materials
18 submitted to the Corps on February 19th. You will
19 be hearing tonight again from our elected and
20 appointed municipal officials, as well as our
21 consultants, our police chief, our fire chief. In
22 addition, you will hear from Hingham business
23 owners and homeowners, who will be directly
24 affected by your eventual decision.

1 The common theme for many of our
2 speakers tonight is that the mitigation issues,
3 which have been carefully and thoughtfully
4 negotiated over the past six years now need to be
5 substantially and materially implemented in order
6 to complete the permitting process. A cornerstone
7 of the comments you will hear tonight is that the
8 Greenbush Line was designed with four-quadrant
9 gates as a supplementally safety measure.

10 The MBTA made commitments to utilize
11 four-quad gates throughout grade crossings on the
12 Greenbush Line from Braintree to Scituate. You
13 have heard from Hingham representatives in the
14 past, and you will hear again this evening that
15 there will be an enormous negative impact to the
16 community if the MBTA is now permitted to renege on
17 its promise to utilize four-quadrant gates.
18 Failure to use the four-quadrant gates will
19 directly and significantly impact the historic
20 properties proximate to the Greenbush right-of-way.

21 More importantly, the decision to
22 forego four-quadrant gates will affect the safety
23 of motorists, cyclists and pedestrians at each and
24 every grade crossing on the Greenbush Line. As an

1 example, you will hear about one grade crossing
2 adjacent to a multipurpose recreational facility
3 used by hundreds of children in Hingham. This is
4 used by them every single day. The MBTA gave no
5 special consideration for that intersection,
6 because the MBTA in a cost-cutting move abandoned
7 its commitment to investigate and evaluate each and
8 every intersection before deciding whether or not
9 safety issues forced a decision against the
10 installation of the four-quadrant gates.

11 Make no mistake about it. The issue of
12 four-quadrant gates could very well be an issue of
13 life and death. The citizens to be served by the
14 Greenbush Line deserve fulfillment of the promises
15 made by the MBTA.

16 Thank you once again for your careful
17 consideration.

18 MODERATOR ROSENBERG: Thank you, sir.

19 Next speaker, M. Fannin.

20 (Applause.)

21 Who will be followed by Alex -- Alex
22 Macmillan.

23 MINXIE FANNIN: Good evening. I am
24 Minxie Fannin, Managing Principal with Fannin

1 Lehner, historic preservation consultants to the
2 Town of Hingham.

3 There are several significant new
4 issues adversely affecting historic resources and
5 wetlands at two grade crossings, Hersey/South
6 Street and the Eldridge -- and the to-be-closed
7 Eldridge Court both in Hingham's National Register
8 District, the Lincoln District. These impacts were
9 not previously brought to light in the Section 106
10 consultations thus far. I believe that these new
11 impacts added to those known to exist, push these
12 grade crossings to a level that is impossible to
13 mitigate under the present project plans. If the
14 project must go forward, it appears that the only
15 solution is to open the Eldridge Court crossing and
16 use four-quadrant gates on both.

17 There are three new issues at the
18 Eldridge Court crossing. First, orange stakes at
19 the crossing indicate the track will be moved
20 15 feet to the north. Although this greatly
21 altered alignment did faintly appear on the
22 February 2001 plan, it was never mentioned in
23 discussions.

24 Second, we learned Hingham's treasured

1 70-acre Home Meadow Salt Marsh will be further
2 impacted by a highly visible 500 foot concrete
3 retaining wall at its northern boundary replacing
4 the specified vegetative slope of the planned
5 connector road.

6 Third, the Eldridge Court pedestrian
7 overpass has evaporated, in spite of the
8 programmatic agreement guaranteeing access across
9 the right-of-way. The fenced rail bed will forever
10 destroy the community cohesion of this tight
11 Eldridge Court neighborhood.

12 The 17th century Hersey/South Streets
13 grade crossing will already be assaulted by street
14 lining, channelization devices and median barriers.
15 Now we discover from the 2003 plans that the grade
16 is to be raised almost two feet. Grade is a major
17 character defining component of a historic road.

18 And what will a higher grade do to the
19 streetscape and integrity of the setting for its
20 historic houses?

21 What will happen to the low stone walls
22 and the ancient granite steps; to the 17th and 18th
23 century houses and trees so close to the street;
24 and the mitigation fencing now several feet too

1 low?

2 Hingham is fortunate to have Hersey and
3 South Streets, which evolved from Colonial routes
4 and still retain many original houses. To quote
5 the National Trust For Historic Preservation:
6 "Following old roads leads us into history. We
7 should save them and savor them."

8 Thank you.

9 MODERATOR ROSENBERG: Thank you.

10 (Applause.)

11 MODERATOR ROSENBERG: The next speaker
12 is Alex Macmillan, to be followed by Richard Cook.

13 ALEX MACMILLAN: As did others, I would
14 like to thank Colonel Green and the members of the
15 Corps staff for agreeing to hold this hearing in
16 Hingham for the convenience of the local residents.

17 I will be submitting written comments
18 later, but in addressing you briefly, I would like
19 to echo the sentiments expressed this afternoon by
20 Joe Norton, Chair of the Scituate Board of
21 Selectmen. Joe and I worked for a long time
22 together including 15 years involvement on the
23 Citizens Advisory Committee on Greenbush.

24 Now, over the years, I've often been

1 referred to as an opponent of Greenbush, but that
2 is not strictly true. Rather, I have been a
3 constant critic of the MBTA's strategy to undertake
4 the work without honest disclosure of the human and
5 economic costs of heavy diesel rail through
6 residential neighborhoods.

7 When after years of stubborn
8 resistance, the MBTA finally agreed to incorporate
9 a rail tunnel under Hingham Square in the Lincoln
10 National Register Historic District, and also
11 agreed to specific measures to reduce adverse
12 impacts, I did recommend to our Board of Selectmen
13 that we should sign a Memorandum of Agreement
14 permitting the project to go forward.

15 We were gratified later by the efforts
16 of the Corps in the 106 process to mandate similar
17 limitations and safeguards. Now, however, as Joe
18 has informed you, we are facing a crisis, a crisis
19 of confidence in the willingness of the MBTA and
20 its contractor to comply with the agreements made
21 and with the process spelled out by the Corps for
22 resolving design issues. We must candidly report,
23 based on our experience to date, that the project
24 proponents' primary policy is apparently to cut

1 corners wherever possible, honoring mitigation
2 commitments in the breach. Whether it is a pledge
3 to consider four-quadrant gates, the pledge to
4 reduce flooding adjacent to the rail line, the
5 pledge to restore adequate flow into the Home
6 Meadows, or in a score of other respects, design
7 packages have brought a string of unhappy
8 surprises, and we are deeply concerned. We're not
9 alone.

10 If you read the semiannual report of
11 the Project Conservator, whose job is to ensure
12 that the T and its contractor comply with the
13 letter and spirit of the 106 Agreement, you'll note
14 that she calls them to account in unusually blunt
15 language: The process is not working well.
16 Neither her comments, nor those of the towns, are
17 being fairly considered.

18 Now, as we move to issues of wetlands
19 and waterways, we are beginning to see similar
20 problems. Perhaps use of the controversial
21 design/build method is the culprit here. Project
22 costs were grossly underestimated, and an
23 unrealistic construction schedule was adopted,
24 because preliminary designs were inadequate, and

1 the environmental difficulties were understated.

2 In any event, we fear that unless
3 changes are made, and it is the Corps that must
4 require them to be made, the project built will not
5 be the project you are being asked to permit.
6 Unless and until the project proponents mend their
7 ways, you should not permit this project. No
8 finding of no significant impact can be based on a
9 mitigation agreement to which the project proponent
10 is not honorably committed.

11 Thank you.

12 (Applause.)

13 MODERATOR ROSENBERG: Thank you, sir.

14 Our next speaker is Richard Cook, who
15 will be followed by William Johnson.

16 RICHARD COOK: Good evening. My name
17 is Richard Cook. I am assisting the Town of
18 Hingham in this review of the Greenbush crossing
19 and intersection mitigation.

20 I would like to speak to you this
21 evening about the potential impact of the traffic
22 control and roadway geometry changes proposed for
23 grade crossings and intersections within the
24 Hingham Historic District.

1 It is difficult to address these issues
2 definitively due to the preliminary nature of the
3 information provided to date. Absent the traffic
4 operations information to support the need for the
5 proposed mitigation, the picture is incomplete.
6 The traffic mitigation proposed is by the book with
7 no consideration of the unique environment that
8 will be affected by its scale. The proposed
9 traffic control and numerous geometry changes is
10 feared to be greater than those identified during
11 the environmental review process. And the expanded
12 mitigation creates the potential for greater
13 adverse impact to the historic districts.

14 It is my opinion that there are three
15 goals that must be considered in defining the
16 appropriate level of traffic mitigation for the
17 Greenbush project within the historic districts:
18 The first is to make the grade crossing areas safe;
19 the second is to maintain the character of the
20 historic streetscapes and to avoid unnecessary
21 community and neighborhood disruption; the third,
22 less important, but still relevant is the need to
23 control project costs. I believe the issue while
24 including four-quadrant gates at appropriate

1 locations is essential to achieving these three
2 goals.

3 The consequences of implementing the
4 currently proposed traffic mitigation without
5 selective use of four-quadrant gates are the
6 following: The crowding of historic streets with
7 unnecessary traffic control hardware resulting in
8 the diminished visual character of the historic
9 districts; the taking of residential and commercial
10 properties; the unnecessary widening of streets
11 with the resultant loss of green space in the close
12 proximity of traffic flow to residences and
13 businesses; the unnecessary interruption of traffic
14 flow; the loss of neighborhood and community
15 cohesiveness; the unrestricted access for
16 pedestrians and bicyclists to the crossing areas;
17 the restricted access of abutting properties caused
18 by median barriers, including access from emergency
19 vehicles; and the straight loss of on-street
20 parking; the unnecessary widening of intersection
21 turning caused by limited affects of median
22 barriers on trucks turning.

23 Because of these issues, the Town of
24 Hingham believes the use of four-quadrant gates and

1 the elimination of the invasive and unnecessary
2 traffic control and roadway expansion measures will
3 lead to a safer, more community sensitive and thus
4 costly project.

5 Thank you.

6 MODERATOR ROSENBERG: Thank you, sir.

7 (Applause.)

8 MODERATOR ROSENBERG: Our next speaker,
9 William Johnson, who will be followed by Melissa
10 Tully.

11 WILLIAM JOHNSON: My name is William
12 Johnson. I am the Fire Chief in Hingham.

13 Regarding the four-quadrant gates,
14 there is no question that any device that
15 provides -- that prevents a vehicle from getting
16 onto the tracks in front of an oncoming train
17 improves safety. But in addition, we should also
18 consider how the proposed alternative actually
19 reduces public safety.

20 The T proposes channeling all traffic
21 within 100 feet in all directions of every crossing
22 into a 15 foot travel lane bounded by a curb and
23 sidewalk on one side and a median on the other.
24 Emergency vehicles arriving at this crossing will

1 have no option but to sit behind any other vehicles
2 that are in line waiting for the train to clear.
3 When the train is gone and the gates open, the
4 emergency vehicle is still behind a row of other
5 vehicles that have nowhere to go to clear this
6 path. Most motorists when placed in a situation
7 like this either freeze, move as far as they can to
8 the right, or are very hesitant to move at all,
9 further delaying emergency response. It's
10 impossible for the emergency vehicle to move to the
11 left to pass the stopped vehicles or for them to
12 move to the right far enough to clear a path. With
13 the quadrant gate, the other vehicles are able to
14 move to the outside edges, which can clear a path
15 in the middle of the roadway for the emergency
16 vehicle.

17 Another consideration in this change is
18 the response patterns due to median barriers. They
19 block access from one direction to every property
20 within 100 feet each direction of every single rail
21 crossing. Perhaps the best example is the
22 intersection of Hersey and Thaxter Street at South
23 Street, which was mentioned.

24 With the quadrant gates, the only

1 change in the traffic pattern is that Hersey, or
2 rather Thaxter is, closed to traffic at the tracks
3 just north of South when the train passes.

4 Without the gates, the entire
5 intersection of South and Hersey is closed. All
6 traffic on South Street, which doesn't even cross
7 the track but runs parallel is stopped.

8 In addition, there would be a center
9 median barrier in each direction from the
10 intersection for a distance of 100 feet. This is
11 not only a visual blight on the area, but it also
12 limits access and is detrimental to public safety.

13 I use the house that my own
14 administrative assistant lives in at 188 South
15 Street as an example. There are two structures on
16 that property that houses four families.
17 Currently, our fire station located diagonally
18 across the tracks at 230 North Street, less than
19 500 feet away, can be in there in a matter of
20 seconds. If the quadrant gates are used and there
21 is no change in the -- I'm sorry -- if the quadrant
22 gates are used there is no change in the response
23 pattern or the times. Without them, if I read the
24 T's proposal correctly, to get to that driveway,

1 the fire engine will have to turn left out of the
2 station, travel down North Street, past Torrent
3 Crossing (it will be closed) to West Street, turn
4 left, go to North Street, turn left again crossing
5 the railroad tracks. We're also told that the rail
6 crossing at West and North may be closed as long as
7 the train is in the station loading or unloading
8 passengers, which would further delay the response.

9 This turns a 500-foot trip into well
10 over a one-mile response. We are also told that
11 the train crossings at West and North -- I'm
12 sorry -- there are two examples --

13 MODERATOR ROSENBERG: Thank you, sir.
14 Thank you.

15 WILLIAM JOHNSON: The T's expression of
16 public safety --

17 MODERATOR ROSENBERG: Thank you, sir.

18 WILLIAM JOHNSON -- seems to be limited
19 by their only divisiveness.

20 MODERATOR ROSENBERG: Thank you, sir.

21 (Applause.)

22 MODERATOR ROSENBERG: My next

23 speaker --

24 (Applause.)

1 MODERATOR ROSENBERG: The next
2 speaker -- our next speaker is Melissa Tully, who
3 will be followed by Steven Carlson.

4 MELISSA TULLY: Good evening. Melissa
5 Tully, Selectman for the Town of Hingham.

6 I would like to discuss the significant
7 impact on the safety of the citizenry with the
8 MBTA's insistence on using two quadrant gates on
9 the Greenbush Line restoration. The MBTA is fully
10 aware of the dangers of using a two-quadrant gate
11 design at the grade crossings. The MBTA knows that
12 this type of design poses a significant risk in
13 particular to pedestrian and cyclists.

14 How do they know this?

15 They know because on June 24, 1998 in
16 Abington, Kelly Ann Boyd, 15 years old, while
17 riding her bike was fatally struck by an MBTA
18 train. According to a witness, she looked both
19 ways, but apparently did not notice the approaching
20 train as she dodged the flashing gates.

21 I quote from an article in the Boston
22 Globe: "Even though state officials ordered the
23 MBTA to install special four-quadrant gates which
24 block the access to the tracks from all directions

1 at each crossing, the MBTA had not complied. It
2 used double gates, which met less stringent federal
3 standards. As part of a study conducted by the
4 MBTA, surveillance cameras were installed at
5 crossings in Kingston, Halifax and Abington.
6 Between May 26th and June 8th of 1998, the
7 surveillance tape at the Wales Street crossing in
8 Abington showed four incidences of bicyclists and
9 one incidence of a pedestrian passing around
10 lowered gates when the warning systems were
11 activated."

12 Between May 26th and June 8th, in a
13 mere two weeks there were five incidences. You
14 factor that over 52 weeks, and have you 130
15 incidences a year at one grade crossing. The MBTA
16 is dismissing their own videotape evidence and the
17 death of a young girl in order to justify their
18 cost-conscious decision to use the two-quadrant
19 gates.

20 I urge the Army Corps of Engineers to
21 demand copies of these videotapes so that you may
22 draw your own conclusions on the safety of the two
23 quadrant gate design.

24 The grade crossing at Hersey and South

1 Street is located near a popular convenience store
2 and candy store. The grade crossing at West and
3 South Street is next to our largest municipal
4 recreation facility, with a swimming pool, a golf
5 course, a bowling alley and tennis courts. On the
6 other side of this track, the Town is planning a
7 future facility to include athletic fields, hockey
8 rink, recreation center and park.

9 How many children on bikes and on foot
10 will be going back and forth over this -- these two
11 grade crossings? The number is incalculable.

12 The significant impact to our safety is
13 clear; and more importantly, the morally right
14 decision on the type of grade crossing treatment is
15 self-evident.

16 It is unconscionable that the MBTA
17 continues to knowingly put forward grade crossing
18 designs that are unsafe.

19 Thank you.

20 (Applause.)

21 MODERATOR ROSENBERG: Thank you very
22 much.

23 Our next speaker is Steven Carlson, who
24 will be followed by Edward Underwood.

1 STEVEN CARLSON: Good evening, Colonel,
2 ma'am, Mr. Lento. I am the Police Chief for the
3 Town of Hingham.

4 Quadrant gates. I can't underscore
5 enough my feelings, and I concur with all the
6 people that have spoken before me. How imperative
7 it is that we have quadrant gates, and nothing else
8 but quadrant gates will do.

9 I have a few other comments I have to
10 make, and I'm going to preface them by listing them
11 first: Video monitoring, radio communications and
12 educational components, police and guarantees,
13 incident investigation, and traffic dislocation.
14 I'll submit these, too, because I'll probably run
15 out of time.

16 All sensitive areas, by sensitive areas
17 I mean parking areas, railroad crossings and the
18 underpass/tunnel should have 24/7 video monitoring.
19 In fact, from the factory, railroads should be
20 equipped with a fiber optic cable so that that can
21 be tied into the police department, because it's no
22 good to have it tied in anywhere else but here so
23 we can have real-time monitoring the situation
24 there. All platforms must be monitored. All

1 parking meters must be monitored. The right-of-way
2 should be equipped with the fiber optic cable, as I
3 said before. It serves no purpose to locate the
4 monitors at a remote site that does not have
5 real-time capability for local emergency managers,
6 specifically radio communications. The Hingham
7 public safety entry point must have direct
8 communication capability with all the trains
9 operating on the Greenbush Line. The MBTA must
10 provide in many cases to agree with communications,
11 with the capacity to communicate anywhere on the
12 Greenbush right away, including but not limited to
13 the tunnel. The radio assistance should be
14 provided to all public safety personnel, police and
15 fire at no cost to the Town. Educational
16 components, the reintroduction of commuter rail
17 service with educational issues all centering on
18 the interaction of the public and the train.

19 A considerable number of townspeople
20 have not been exposed to regular train service in
21 over four years. The inherent dangers can't be
22 emphasized enough. The responsibility for
23 educating our citizens now sits squarely on the
24 shoulders of the T.

1 Police and guarantees. The MBTA must
2 guarantee the delivery of both timely public
3 service to all areas of right-of-way and other MBTA
4 property by MBTA police. I don't think they will.
5 So because they won't, they are going to need to
6 provide the funding so that I can provide the
7 service 24/7, which will account for four police
8 officers.

9 Incident investigation. The
10 introduction of the Greenbush Line has its certain
11 possibilities: Hazardous material incidents, train
12 derailments, train collisions with vehicles, from
13 passenger cars to tanker trucks with gasoline and
14 other volatile mixtures. The responsibility for
15 training our public safety personnel falls upon the
16 MBTA. They must provide all hazard and education
17 training to all public safety personnel to set
18 forth the standards as to be determined by the
19 police and fire services together with the EMS.

20 Traffic dislocation. Permanent closing
21 of roads, the signalization of roads -- thank you.

22 MODERATOR ROSENBERG: Thank you, sir.

23 (Applause.)

24 MODERATOR ROSENBERG: Next speaker,

1 Edward Underwood, followed by Richard Claytor, Jr.

2 EDWARD UNDERWOOD: I'm speaking on
3 behalf of the Country Club Management Committee.
4 This is a volunteer group that overseas the
5 operations of the South Shore Country Club. Our
6 issue tonight is four-quadrant gates in general,
7 and specifically, at the intersection of West and
8 South Street.

9 The South Shore Country Club is a
10 multipurpose recreational facility owned and
11 operated by the Town. It's a very active facility.
12 I'll give a brief summary of our various activities
13 and the estimated annual volumes for each.

14 Golf: We have an 18-hole golf course;
15 weekly golf outings; extensive junior program,
16 including a camp and two junior tournaments; high
17 school golf team practices and matches; some 50,000
18 rounds per year.

19 The pool: Public swim; junior lessons;
20 aerobics; junior swim team; lap team; life savings.
21 Some 14,000 participant days.

22 Bowling: Public bowling; league
23 bowling; birthday parties; special events. 26,000
24 participant days.

1 Tennis: Public tennis; lessons;
2 extensive junior program.

3 We have a clubhouse with a restaurant,
4 banquet and function rooms, serving golf outings,
5 weddings, funerals, luncheons, brunches, special
6 events.

7 On the front lawn, we have a T-ball
8 group that practices and plays for six weeks in the
9 summer.

10 We have special events: Easter egg
11 hunt; a hike day. A couple of weeks ago, some
12 1,500 parents and kids were out in the course
13 flying kites.

14 As you can see, many of our activities
15 are for kids and juniors; this is where the concern
16 about the four-quadrant gates is the greatest. The
17 corner of West and South Streets, right at the
18 entrance to the South Shore Country Club, is a very
19 busy area. And with the traffic associated with
20 the train station and the proposed recreational
21 addition to the Bare-Cove Park area, it will become
22 extremely busy. We know and the T knows from its
23 own studies that a two-gate system is simply not as
24 safe as a four-quadrant gate. As Mrs. Tully

1 pointed out, we have already seen here in the South
2 Shore the tragic result when the four-quadrant
3 gates that were in the T's original design were
4 replaced by a two-gate system to save money, not
5 lives.

6 My five-person committee is unanimous
7 in its support of the four-quadrant gates.
8 Alternative design concepts do not make sense for
9 this busy location.

10 Kids will take chances. This will be
11 an extremely busy intersection with lots of kids.
12 The design should not -- should be the safest, not
13 the cheapest one, not to mention the one that was
14 agreed to by the T two years ago.

15 Thank you very much.

16 MODERATOR ROSENBERG: Thank you, sir.

17 (Applause.)

18 MODERATOR ROSENBERG: The next speaker,
19 Mr. Claytor, will be followed by Charles Costello.

20 RICHARD CLAYTOR: My name is Richard
21 Claytor. I am a Professional Engineer with Horsely
22 & Witten in Sandwich, Massachusetts, representing
23 the Town of Hingham.

24 We were hired to evaluate the Town

1 Brook and Home Meadows culvert capacities and
2 flooding in accordance with the Memorandum of
3 Understanding between the Town of Hingham and the
4 MBTA dated 5/15/2000.

5 We will provide some written comments
6 to Theodore Lento in accordance with my testimony.

7 Basically, I have four issues I would
8 like to cover quickly, and one is that the
9 hydraulic capacity of the Town Brook culvert system
10 we feel has been underestimated by the MBTA. And
11 specifically, they're using a method that relies on
12 rural watersheds and unaltered flood plains to
13 calculate a flow relief for the so-called
14 100-year storm. The Town Brook is nearly
15 80 percent urbanized, and approximately half of the
16 stream system has been channelized or altered;
17 therefore, the model is probably inappropriate.

18 We also note that the other models used
19 to calculate this grade -- used to calculate the
20 peak discharge are approximately three times the
21 method used by the MBTA. This will have serious
22 consequences on any flooding issues in the historic
23 district of the Town.

24 We also wish the Corps would consider a

1 performance-based flood plain analysis where the
2 permit is conditioned on meeting certain elevations
3 within the Town Brook. We would also request that
4 you consider a parallel pipe system that allows
5 base flow and low flows to remain in the existing
6 open channel sections of the channel, and then
7 convey larger storms around this open channel
8 system. It will maintain current fish spawning and
9 future fish spawning that will help reduce or
10 alleviate flooding in the future.

11 And then finally, we would like you to
12 consider additional floodplain or flood relief in
13 the so-called Hingham Y area by constructing a
14 second naturally-designed channel in this area to
15 provide additional storage.

16 Thank you very much.

17 MODERATOR ROSENBERG: Thank you, sir.

18 (Applause.)

19 MODERATOR ROSENBERG: The next speaker
20 is Charles Cristello, followed by Carolyn Nielsen.

21 CHARLES CRISTELLO: Good evening. I am
22 Charles Cristello, the Town Administrator for the
23 Town of Hingham. I would like to talk about the
24 Home Meadows.

1 Part of the mitigation for this project
2 was to increase the title flushing of the Home
3 Meadows, which used to be a wonderful salt marsh
4 area. Now it is only Phragmites. The original
5 plans call for a new 84-inch culvert; however, we
6 are now being told by the Cashman Consultants that
7 there will be no need to increase the pipe size,
8 and they can somehow accomplish up between six and
9 eight acres of restoration using the existing pipe
10 and some minor modifications.

11 To be fair, we haven't met with them
12 yet to discuss that. We intend to do that next
13 week, and it is possible that they can be right,
14 and that the Home Meadows can be restored using
15 that level of reference, but if they are not right
16 and if we cannot come to some resolution on that
17 issue, we look to you, the Corps, to help us
18 resolve the issue in favor of the Home Meadows.

19 The other issues I would like to bring
20 up would be the three outstanding intersections
21 that were not defined and were left on the plans as
22 intersection improvements to be determined. We
23 discussed these briefly here in February; and at
24 that time, I asked you for further consultations to

1 resolve those intersections and to resolve those
2 particularly in a timetable to the Town. We would
3 like you to keep that request tonight, and that
4 there be further consultations on those
5 intersections.

6 And I would like sum up with my final
7 comment would be to respond to Mr. Fasher's
8 comments earlier today that these concerns of ours
9 are frivolous. They are not frivolous. You would
10 not be here for eight hours, and you would not be
11 here for eight hours if these weren't very
12 significant issues that we are raising.

13 And we thank you for your attention.

14 MODERATOR ROSENBERG: Thank you, sir.

15 (Applause.)

16 MODERATOR ROSENBERG: Next speaker,
17 Carolyn Nielsen, followed by Gary Tondorf-Dick.

18 CAROLYN NIELSEN: Good evening. I am
19 Carolyn Nielsen, Chairman of the Hingham Advisory
20 Committee.

21 We wish to bring to your attention
22 several matters that we believe require more study
23 before any decisions are made on permitting the
24 Greenbush Line.

1 First, we are very concerned about the
2 impact that the project will have on the ability of
3 the public safety departments to provide services
4 promptly and efficiently. Chief Johnson of the
5 Hingham Fire Department and Chief Carlson of the
6 Hingham Police Department have addressed these
7 concerns in detail. We support their positions.
8 We request that you require the installation of
9 four-quadrant gates for the reasons they have
10 outlined.

11 Second, we currently have a substantial
12 flooding and flow problems within the Town Brook
13 and Home Meadows areas. Installation of properly
14 sized pipes is critical. These problems must be
15 mitigated correctly.

16 Third, we are concerned about the
17 potential for deterioration of property values of
18 the homes and businesses abutting the Greenbush
19 corridor. Since the discontinuation of rail
20 service a quarter century ago, rundown sections of
21 West Hingham have undergone a revival. We do not
22 want to see this progress reversed. Protection of
23 the historic areas includes protecting their
24 property values.

1 In addition, there are significant
2 wetlands and geology issues. In Hingham, wetlands
3 abutting the corridors are home to Eastern Box
4 Turtles and Spotted Turtles, both endangered
5 species. There is a smelt run that goes up to Town
6 Brook. The Home Meadows is a rich breeding ground
7 for invertebrates, fishes, birds and mammals.
8 These should all be protected. The geology of the
9 proposed tunnel site presents a considerable
10 challenge. The Town Brook runs through peat layers
11 causing glacial outwash generating complex
12 hydrological conditions. Any disruption to the
13 hydrological balance could have severe impacts on
14 the ability of soils to support building
15 foundations. Both tunnel construction and
16 vibration from trains are of great concern.

17 In light of these concerns, we believe
18 a full Federal Environmental Impact Review is in
19 order. We further believe that a complete review
20 of the broad environmental impact will show that
21 rail restoration in the Greenbush corridor is
22 neither reasonable, defensible, nor desirable.

23 We wish to remind you that if a train
24 line had not already been built in the Greenbush

1 corridor, it would certainly not be under review
2 today as an appropriate site for rail
3 transportation.

4 Building the Greenbush Line in its
5 present location was a mistake 150 years ago. No
6 level of mitigation can correct that mistake. We
7 are unable to go back and rewrite history, but we
8 can recognize past errors and make changes for a
9 better future. The Greenbush corridor is an ideal
10 location for a walking and biking trail. Rail
11 trails have been a resounding success from Burke
12 Gilman Trail in Seattle, Washington, to the Cape
13 Cod Rail Trail here in Massachusetts.

14 MODERATOR ROSENBERG: Thank you.

15 CAROLYN NIELSEN: We have before us an
16 opportunity to correct a 150-year-old mistake. We
17 urge you to allow us to do so.

18 Thank you very much.

19 (Applause.)

20 MODERATOR ROSENBERG: Our next speaker
21 is Carolyn -- our next speaker is Gary
22 Tondorf-Dick. He is followed by Damon Reed.

23 AUDIENCE PARTICIPANT: Mr. Tondorf-Dick
24 asked me to tell you that he was pulled away to do

1 a brief family history. He will be back shortly.

2 So if you put his name in --

3 MODERATOR ROSENBERG: Thank you. We
4 will put him back in the rotation and -- speaking,
5 going back in rotation.

6 Mr. Damon Reed.

7 AUDIENCE PARTICIPANT: He spoke.

8 AUDIENCE PARTICIPANT: He spoke.

9 MODERATOR ROSENBERG: Next speaker,
10 John Happ.

11 JOHN HAPP: I'm going to pass.

12 MODERATOR ROSENBERG: Christian Rein.
13 Catherine Rein.

14 CATHERINE REIN: Hi. I live at
15 184 South Street on the corner of South and Hersey
16 Streets in one of the oldest colonial homes in
17 Hingham. The Beal House, as our house is known, is
18 dated by the Historic Commission at circa 1698. We
19 recently learned that the MBTA dropped plans for
20 four-quadrant gates at Hersey and South Street
21 across the street from us. Their new plan includes
22 taking a portion of our small front lawn to add a
23 20-foot panel and pole and arm to stop traffic in
24 front of our house.

1 But today, I want to address you as a
2 mother and an elementary school counselor. I hope
3 to help you look at this intersection with a
4 child's eyes to see what the loss of four-quadrant
5 gates means to our neighborhood children.

6 Diagonally across from my house on
7 South Street is Tedeschi's, a small food store. My
8 son Jonah summed up his review of our house as
9 follows: It's a good house. I can see the candy
10 aisle from our upstairs windows.

11 About half a block beyond Tedeschi's is
12 a playground and a baseball field. Town baseball
13 games and practices are played there most evenings
14 in the spring and summer. Kids from all around the
15 neighborhood can be seen crossing South Street at
16 Hersey, stopping by Tedeschi's for drinks and
17 snacks, and then heading to the ball field.

18 Now, what does this have to do with the
19 question at hand?

20 Well, the new configuration will tie up
21 traffic on South and Hersey. However, the sidewalk
22 on my side of Hersey Street leads directly across
23 South Street to the train tracks missing all the
24 newly planned traffic arms. With four-quadrant

1 gates, a child could see the gates go down as they
2 walk, bicycle or skateboard down the hill on
3 Hersey. The four-quadrant gates immediately in
4 front of the tracks would stop them from passing.
5 Unfortunately, the new plans have no barrier
6 immediately in front of the train tracks.
7 Therefore, that child can move down the hill on
8 Hersey Street with visions of candy and baseball,
9 who have clear sailing across South Street,
10 facilitate rather than stopped by those monstrous
11 lights and traffic arms and dividers. The children
12 would then safely sail across South Street only to
13 be hit by any passing train. The trains would be
14 returning in the evening just in time to meet their
15 children.

16 You are engineers. You may or may not
17 care about the aesthetics of my 300-year-old house,
18 but can you sleep if you allow a design that
19 entices children to look both ways, see no cars
20 coming and cross to the train tracks and their
21 death?

22 That is too high a price to pay. You
23 can do better. I urge you to deny the MBTA a
24 permit. Four-quadrant gates will at least give our

1 children a chance to pass safely on their way to
2 play. Surely, we should expect that much
3 mitigation.

4 Thank you.

5 MODERATOR ROSENBERG: Thank you.

6 (Applause.)

7 MODERATOR ROSENBERG: Our next speaker,
8 V-C-E-V-Y, second name, S-T-R-E-K-A-L-O-V-S-K-Y,
9 also known as Sevy.

10 VCEVY STREKALOVSKY: That is not that
11 bad.

12 Thank you.

13 I'm Sevy Strekalovsky. I am an
14 architect with the architectural firm Strekalovsky
15 & Hoit in Hingham, and I am here to represent the
16 South Shore Art Center in Cohasset, both as
17 architect for it and as a Board of Trustees member.

18 We have considerable experience with
19 designing projects that are in close proximity to T
20 structures. We designed a housing for the elderly
21 project in Ashmont Square that straddled the
22 Ashmont tracks. We worked very closely with MBTA
23 engineers, who are well aware of the impacts on
24 structures. We designed isolation for footings,

1 (Applause.)

2 MODERATOR ROSENBERG: Our next speaker,
3 State Representative Garrett Bradley.

4 REPRESENTATIVE GARRETT BRADLEY: Thank
5 you very much, and I appreciate you taking me out
6 of turn.

7 I want to thank the Army Corps for
8 holding this hearing tonight. And I know some of
9 the things I am going to say are repetitive, but I
10 want to talk to you a little bit about the cost of
11 this project. And I know it's important that I lay
12 it out a little bit, because it ties in directly to
13 my main point here tonight.

14 The cost of this project, just so you
15 realize, is \$275,000 per new rider. It is an
16 astonishing amount of money, and it is going to
17 continue to go up; that is on the MBTA's best case
18 number. It is going to continue to rise; and when
19 it continues to rise, the MBTA is going to start
20 cutting corners, as they have already done. And
21 it's like cutting back here, cutting back there,
22 and they are going to do it, and they are going to
23 do it in mitigation agreements that have already
24 been reached. And, specifically, I know we talked

1 about it, and I'll talk about it in a moment on the
2 four quad gate issue.

3 The MBTA has taken this project for
4 decades, put it on paper to fit an arbitrary number
5 so that they can get the project to reach it by
6 administration to administration. The current
7 administration is dictating a significant internal
8 review, from what I can tell, of the cost of this
9 project, which means they are going to continue,
10 the MBTA is to cut back from -- on various areas.

11 The four-quadrant gate cannot be stated
12 enough the importance of having four-quadrant
13 gates. You must hold them to their agreements.
14 Everything that has been agreed to must be part of
15 your permit, or you cannot issue a permit, because
16 otherwise the MBTA will find a way around it.

17 And I want to conclude just by reading
18 to you a letter that was sent to me by an
19 individual, who I met at a recent hearing. He is
20 an individual by the name of John Boyd, who lives
21 in Weymouth. He says, Representative Bradley:
22 Thank you for your strong endorsement for safer
23 four-quad gates on the Greenbush Line. While it
24 doesn't interfere with many grade crossings in my

1 neighborhood, I feel great empathy for those people
2 who live near one. Our family lost a 15-year-old
3 girl named Kelly Boyd, who was his granddaughter,
4 at a grade crossing in Abington on June 24th, 1998.
5 We feel the accident would have been prevented with
6 a safer gate. As a family, we feel obligated to
7 warn the community of the danger which exists if we
8 allow unsafe gates. Money is always a factor in a
9 project of this size of plan. The cost difference
10 between gates considered in contrast to the human
11 life is not worth the discussion. If I can provide
12 further details, please give me a call.

13 Thank you very much.

14 MODERATOR ROSENBERG: Thank you, sir.

15 (Applause.)

16 MODERATOR ROSENBERG: The next speaker
17 is Frederic Hills, and he will be followed by Rich
18 Rein.

19 FREDERIC HILLS: I'm Fred Hills, and I
20 want to first thank you for the opportunity for us
21 to address you and raise concerns for your
22 consideration.

23 I'm a licensed professional engineer,
24 and at the time of my retirement, I was a senior

1 projects engineer at the Provident
2 Transportation -- Transportation System Center in
3 Cambridge.

4 I would like to briefly, briefly raise
5 an issue that is of concern to many of my friends
6 here in Hingham. That is freight usage. The
7 Greenbush Line used to carry freight. Ten or 12
8 years ago in one of these hearings, I asked the T
9 specifically would the Greenbush Line be used for
10 freight service. The answer I got back was that
11 the federal regulations stipulated that the line
12 had to be available for use in a freight mode. I
13 don't know whether that has changed since, but I
14 would like to make certain that the -- the Corps
15 does address and seriously consider the special
16 impacts of freight rail, freight use in the whole
17 corridor, and especially the impact on safety and
18 the increased load factors as it would affect the
19 wetlands and the routes through centers of towns
20 and so forth. But please, I would like to see that
21 addressed and serious consideration given and
22 conclusions reached with regard to what the impacts
23 of freight service would be.

24 Thank you.

1 MODERATOR ROSENBERG: Thank you, sir.

2 (Applause.)

3 MODERATOR ROSENBERG: Our next speaker,
4 Rich Rein, will be followed by Michael MacDonald.

5 RICH REIN: Rich Rein, 184 South
6 Street, Hingham.

7 I live on the corner of South and
8 Hersey Streets, which is one of the proposed grade
9 crossings. My house was originally built in 1645,
10 25 years after the Pilgrims landed. It is part of
11 the Lincoln Historic District and included on the
12 National Register of Historic Places. If the MBTA
13 is allowed to use a two-quadrant gate at this
14 intersection, I will have a concrete medium barrier
15 up to 100 feet in front of my house, a barrier up
16 to 100 feet on the side of my house on -- and on
17 the middle of my front lawn will stand a cantilever
18 railroad signal and arm up to 20 feet high.

19 This design plan not only destroys the
20 historical integrity of my home, but is a blatant
21 disregard for the historical integrity of the
22 entire neighborhood. The MBTA has the option of
23 putting four quadrant gates across South Street
24 directly in front of the tracks. They claim that

1 safety issues discouraged them from proposing four
2 quadrant gates. However, the fire station, which
3 is 400 feet from my house, will now have to travel
4 a mile to extinguish a fire if my house or one of
5 my -- one of my neighbor's homes.

6 When the train is traveling through
7 town, which will occur at least 20 times per day,
8 fire trucks may not be able to access my neighbors'
9 homes.

10 In addition, with the present
11 two-quadrant proposal, children walking down Hersey
12 Street to the baseball field or convenience store
13 will have no barrier directly in front of the train
14 tracks. Economically, the concrete median barriers
15 will prevent access to the neighborhood convenience
16 store, fish market and dry cleaners and
17 significantly reduce parking. These businesses
18 will no longer be economically viable and will
19 destroy the livelihoods of these hard-working
20 people. The four-quadrant gate would allow these
21 businesses to economically thrive.

22 I urge the Army Corps of Engineers not
23 to grant a permit allowing two-quadrant gates at
24 this intersection. This is a densely-populated

1 neighborhood in a historic district. Don't let the
2 MBTA put the safety of our children and the
3 historical integrity of our neighborhood at stake.

4 Thank you.

5 (Applause.)

6 MODERATOR ROSENBERG: Thank you, sir.

7 The next speaker, Michael MacDonald,
8 followed by Jane Carr.

9 MICHAEL MacDONALD: Thank you for
10 allowing us to speak tonight.

11 My name is Mike MacDonald. I am the
12 President of the Homestead Landing Civic
13 Association located on Weymouth Landing.

14 I feel a bit like an only child
15 tonight, because of what my friend brought up a
16 lot, but that's specifically what I came to speak
17 about, because during the historical and cultural
18 review process, Weymouth Landing was designated as
19 a National -- excuse me -- register-eligible
20 district. However, in the Programmatic Agreement,
21 Weymouth Station design was the only station design
22 specifically exempted from the comprehensive
23 agreement. That was to be delivered at a later
24 date.

1 We find ourselves now in the position
2 where the T is offering us a design, a design that
3 we feel, at least we feel based on our evidence
4 that meets the permitting requirements of the state
5 and the Conservation Commissions in the Town of
6 Weymouth; however, we have been presented with a
7 design that does not go into the 106 process, and
8 we have been told that that process has been
9 completely met by the current design. The current
10 design includes a connector road, a shallow cut and
11 distributed parking. However, Chapter 91 of the
12 Wetlands and Waterways Act for the State of
13 Massachusetts, the Commonwealth, states that the
14 nonwater dependent use projects that includes fill
15 or structures from the Commonwealth hydrants which
16 this project does, must promote public use and
17 enjoyment of such lands to a degree that is fully
18 commensurate with proprietary rights in the
19 Commonwealth area. The design that they have meets
20 those requirements. However, it's being offered as
21 historical mitigation. We feel the historical
22 mitigation has yet to begin in Weymouth Landing,
23 and we look forward to those consultations that
24 will proceed in the future.

1 Thank you very much.

2 MODERATOR ROSENBERG: Thank you, sir.

3 (Applause.)

4 MODERATOR ROSENBERG: The next speaker,
5 Jane Carr, followed by Lance VanLenten.

6 Jane Carr.

7 Lance VanLenten will be followed by
8 Jeffrey Moy.

9 VANCE VanLENTEN: Good evening. My
10 name is Lance VanLenten. I am the Director of the
11 First Herring Brook Watershed Initiative, which is
12 an environmental group in Scituate.

13 For the past three years, our
14 organization has been studying streams, and ponds,
15 and wetlands associated with the Scituate water
16 supply system. This project has been funded by the
17 DEP, a source water protection grant, which is also
18 funded by clean water action run through the EPA.

19 We spend quite a bit of time in the
20 section of Greenbush Scituate, that is called
21 Brushy Hill. It's also known as Hicks Swamp, and
22 this is immediately north of the planned layover
23 site. And it's about the area that we studied, and
24 includes -- it's a very interesting and very

1 important resource components of our water supply.
2 There are two tributaries in Hicks Swamp. On the
3 east we have Clapp Brook. Now, Clapp Brook is
4 depicted on USGS maps as a stream that goes into
5 Hicks Swamp; and as part of our research, we
6 studied streams depicted on the USGS map and
7 actually went out into the field. And what
8 happened in this case is that we found that Clapp
9 Brook is much longer than shown on USGS maps. It
10 actually starts further north closer to Stockbridge
11 Road, and a section of this tributary which flows
12 mostly from here, we studied it for three years,
13 abuts the rail bed. This is about a 250-yard
14 section, and it has never been noted in any of the
15 T's submissions. The only comment that we found in
16 thousands of pages of submissions that even brings
17 up the section is a comment referring to an eroded
18 channel. This is a tributary that flows into Old
19 Oaken Bucket Pond, which is about a 600 feet away,
20 and the T is planning to fill it.

21 We have submitted materials to you
22 tonight. This gets a little complex. I'm
23 obviously not going to have time to talk about it.
24 But we have given you materials, and we will give

1 you more detailed submission before April 25th.

2 Thank you.

3 MODERATOR ROSENBERG: Thank you, sir.

4 (Applause.)

5 MODERATOR ROSENBERG: Our next speaker,
6 Jeffrey Moy, will be followed by Peter Aiello.

7 JEFFREY MOY: Thank you.

8 My name is Jeffrey Moy. I live at
9 33 Ledgewood Drive in Cohasset. And I'm
10 representing myself. My house is an abutter of the
11 railway.

12 I moved to this house four years ago,
13 and it was a new lot, and it was a new home; and
14 approximately, I live on two acres of which one
15 acre of that is wetlands, and that directly abuts
16 the railway. And of the closest half an acre that
17 abuts the railroad is actually a vernal pool that
18 has been identified.

19 And since living at this home in the
20 last four years, I have seen the wetlands landscape
21 has changed. Within the last two years, I have
22 seen that the vernal pool has actually crept into
23 where the rail beds are; and this winter, you've
24 had to walk around the railway where it's probably

1 about two -- at certain points one to two feet
2 width of waters. And my concern from an
3 environmental standpoint is that when the rail beds
4 are put in that the runoff from those rail beds
5 will go directly into the vernal pool on my
6 property, which will severely damage and hurt the
7 habitants within that pool.

8 The second issue I want to raise is a
9 safety issue that has not been brought up at all.
10 I live in a subdivision that has approximately
11 60 homes and 80 children under the age of 12, and
12 there is a -- when I moved in approximately four
13 years ago, I went to a hearing that the T had at
14 the Town Hall of Cohasset, I think it's probably
15 two to three years ago. I looked at the map, but
16 they did not have chain-link fence that abuts
17 basically my property with the railway. And they
18 told me that their policy was to provide chain-link
19 fence on property that is developed. And so they
20 did -- were able to put that into the design and
21 make notation of that; however, directly to the
22 left of my property is 30 acres that is undeveloped
23 that goes all the way from my property all the way
24 to the left of Beechwood Street, and I know that at

1 that property there is a lot of children that are
2 running through that area. And the T has assured
3 me that once the project is in place, they will go
4 in and put the chain-link fence wherever, but my
5 concern is that they do not know where the children
6 run. They do not know where the children will go,
7 and also with the potential cuts in the budget that
8 they will not do the appropriate thing and put the
9 chain-link fence wherever it is appropriate. So I
10 ask you if you would be able to consider that good
11 safety.

12 Thank you.

13 MODERATOR ROSENBERG: Thank you, sir.

14 (Applause.)

15 MODERATOR ROSENBERG: Our next speaker
16 is Peter Aiello; and following Mr. Aiello, I have
17 been given the sign by our stenographer we need to
18 change the tape, so we will take a short break.

19 PETER AIELLO: My name is Peter Aiello.
20 I live about a quarter of a mile from the proposed
21 tracks. My concern is about noise pollution, which
22 hasn't seemed to have come up in great issue.

23 A 40-ton train with air horns gives off
24 a tremendous amount of vibration. It gives off a

1 tremendous amount of noise. For example, this
2 morning I heard an owl outside my window. I don't
3 want to sound like I'm completely in nature here,
4 but this owl and many other birds and animals would
5 not remain there if this tracks are going to have
6 trains on it rumbling down and have them vibrate
7 all over the place.

8 I ask you please do not succumb to big
9 business and the politics that are in favor of
10 putting in this line. Please have the courage to
11 do the right thing. I beg you not to approve it as
12 part of this project.

13 Thank you.

14 MODERATOR ROSENBERG: Thank you, sir.

15 (Applause.)

16 MODERATOR ROSENBERG: Ladies and
17 gentlemen, we will take a short break now.

18 As a reminder, we have a stenographer
19 across the hallway should you wish to dictate a
20 statement for the record, rather than coming up and
21 making a formal presentation. There are no time
22 limits on the individual statements. And we will
23 reconvene at a quarter to 9:00.

24 Thank you.

1 (Whereupon, there was a short break
2 taken.)

3 MODERATOR ROSENBERG: Ladies and
4 gentlemen, we're going to get started.

5 The first person will be Gary
6 Tondorf-Dick followed by Steve Shanck.

7 GARY TONDORF-DICK: Good evening. Gary
8 Tondorf-Dick, representing the Hingham Historical
9 Commission.

10 Our concerns are fundamentally with the
11 process, the design/build process and the inability
12 of that process to essentially provide the types of
13 protections that we need in order to protect the
14 historical, cultural and environmental resources
15 that are adjacent to the right-of-way of this
16 project.

17 A couple of specific situations that we
18 have experienced is that we have had some meetings
19 with the folks who are monitoring mitigation of the
20 project; and when we go through and look at the
21 documentation, we're finding that there really
22 isn't enough documentation in these design/build
23 documents, and I really have an adequate
24 understanding of exactly what is being proposed and

11 These are the kinds of things with an
12 appropriate set of contract documents that would be
13 done in a design bid and build environment where
14 all of the constraints and opportunities can be
15 ironed out before the project is in construction so
16 that we have an adequate process and a series of
17 protections so that our resources -- we can be
18 assured that our resources is adequately protected.

19 So we ask you not to -- not to approve
20 this project under this kind of a contract process,
21 because we just don't feel that adequate
22 protections are in place.

23 Thank you.

24 MODERATOR ROSENBERG: Thank you, sir.

1 (Applause.)

2 MODERATOR ROSENBERG: Our next speaker
3 is Steve Shanck, who will be followed by Joshua
4 Krumholz.

5 STEVE SHANCK: Good evening. I am a
6 recent Hingham resident. I live on Summer Street,
7 not far from the Nantasket junction proposed
8 station. And since I am somewhat uneducated with
9 the entire tenure process of this, I'm more of a
10 10-day expert, I will bypass with an informed
11 comment with an emotional outburst.

12 (Laughter.)

13 STEVE SHANCK: You know one of the
14 things that attracted us to Hingham was it's clear
15 a lot of natural beauty, a lot of park land, a lot
16 of places for children to play. And though we were
17 aware of the proposed train line, and I don't think
18 it was quite clear, if it wasn't apparent to us
19 what it really meant for our neighborhood.

20 Living on Summer Street, it turns out
21 that will be the only real entrance and exit to the
22 Nantasket Junction Station. There is only one
23 entry/exit point. And I am told that it used to
24 be -- there were two entry and exit points. And

1 that now there is only one due to some
2 environmental concerns that there are some turtles
3 living on Kilby Street. I like turtles in general
4 purposes, but I also like children. And our
5 children play on Summer Street. There is bus stops
6 on Summer Street, and I'm quite concerned about the
7 fact that the traffic load on Summer Street is
8 something that has not been addressed, at least to
9 my personal edification.

10 With this quad-gate issue in play, I
11 won't go into that, but I think that there ought to
12 be a lot of thinking about Summer Street. The fact
13 we have been there for two years of traffic
14 already, that the detour because of the bridge
15 overpass construction, we don't need another five
16 years worth of pain.

17 So I would like to just kind of, you
18 know, please enforce, if you will, the commitments
19 that were made between the Town and MBTA. Make
20 sure that they are -- their feet are held to the
21 fire. Make sure that we as residents of the
22 neighborhood are well educated on what this is
23 going to mean for us; and lastly, try and commit
24 that our children will be well protected. I -- we

1 like to play on the street; they should or at least
2 not in the street certainly, but on the side of it,
3 and I don't think that there is much reason to
4 focus on, you know, some environmental issue when
5 traffic really is going to be the primary issue.

6 Thank you.

7 MODERATOR ROSENBERG: Thank you, sir.

8 (Applause.)

9 MODERATOR ROSENBERG: The next speaker,
10 Joshua Krumholz, followed by Martha Bewick.

11 JOSHUA KRUMHOLZ: Good evening. I am
12 one of Steve's neighbors. I live in the
13 neighborhood that will most directly be impacted by
14 the Nantasket station.

15 We live in an environmentally sensitive
16 area; and as a result of that, there have been a
17 number of actions taken since the original plan to
18 mitigate the environmental issues. And while
19 certainly I'm certainly in favor of mitigating
20 those environmental issues, the resultant plan that
21 has been articulated now at the 60-percent stage is
22 totally inadequate for mitigation issues affecting
23 our neighborhood. There have been a number of
24 changes that have dramatically impacted -- impacted

1 a lot of our neighborhood, one of which is the
2 location of the parking lot, which we heard right
3 at the outset was moved from one area and put
4 directly in the backyards of many of our neighbors.
5 Now that happened and since that time, we have
6 learned, and we are seeing five significant
7 buildings being put in the very area that they said
8 they cannot put a parking lot, because it was too
9 wet.

10 One of the contrasts, one of the
11 contract terms that was supposed to be in this
12 parking lot was two points of access: One on
13 Summer Street where our neighborhood is impacted;
14 one on Kilby. We have since learned because of the
15 great turtle migration that the -- the Kilby access
16 is not going to be available to us.

17 Now, like Steve, I like turtles, too,
18 but you know, as much as I like Yurtle the Turtle,
19 we have -- as important as that may be, it's having
20 a significant impact on our neighborhood, because
21 what it causes is the Town upholds traffic to come
22 entirely down one road.

23 They were supposed to by contract have
24 additional parking. They were supposed to make

1 sure they preserved additional parking. We were
2 told that the additional was supposed to be this
3 space, which now is having the five buildings on
4 it. So we see no evidence that they made any
5 effort to try to deal with that mitigation issue.

6 The last thing that -- and perhaps the
7 most troublesome, because it hearkens back to all
8 the issues we have heard tonight about the
9 willingness to cut corners, to save a couple of
10 dollars and the impact it has on mitigation is the
11 plan that we just saw has 30-foot lights. I assume
12 that is so they could have a couple less lights and
13 save a couple thousand dollars, because it would
14 have a broader reach, but to me it's very
15 symptomatic of the bigger problems that we are
16 having, which is that they don't for a couple
17 thousand dollars, they are willing to have our
18 neighborhood be standing at and staring at lights
19 in our second floor window all night long.

20 So we are at looking you. We
21 appreciate your coming. We are hoping that you
22 vindicate the rights that we need to have protected
23 in our neighborhood.

24 Thank you.

1 MODERATOR ROSENBERG: Thank you, sir.

2 (Applause.)

3 MODERATOR ROSENBERG: The next speaker
4 is Martha Bewick, followed by Thomas Shields.

5 MARTHA BEWICK: Hello. Good evening.
6 My name is Martha Bewick. And I am a member of the
7 Advocates for the Transportation Alternatives.

8 And before I begin my brief remarks, I
9 just want to thank the Corps for the spectacular
10 exercise in developing the information we now have
11 in the 102 -- the 106 process. It finally has made
12 people realize how significant the scope of the
13 impacts are going to be; and for that we have the
14 Corps to thank and the National Trusts and others
15 as well.

16 Basically, I would like to state that
17 we respectfully request that the Corps as the lead
18 federal agency in the permitting of this project
19 either deny the permit application of the MBTA on
20 grounds of inadequate information and require a
21 full Environmental Impact Report as the next step
22 in this long disputed Greenbush rail project.

23 Because my statement is long, I -- I
24 have outlined categories of inadequate information,

1 including the net negative affect on historic
2 properties at the mitigation. Nobody knows yet
3 whether that net negative affect is significant or
4 not, I don't believe, and that is something that
5 must be examined. The lack of the information with
6 archeological impacts, the viability of the
7 American fishway, the viability of the
8 demonstration turtle crossings and incomplete and
9 insufficient wetland filings all figure in this
10 regard inadequate information.

11 I was happy to hear the Colonel
12 addressed the fact that you will be looking at the
13 socioeconomic impacts. And one of the problems in
14 the absence of a NEPA or Federal Environmental
15 Impact Report has been that there hasn't been any
16 socioeconomic cumulative analysis undertaken as
17 such. It's been all bits and pieces of a
18 collection of technical information. But tonight
19 you're hearing from the human beings who are going
20 to be affected, both business people, where the
21 trains run by is affecting their deliveries, the
22 trash receptacles, the parking of customers, the
23 quality of life in the viable villages where the
24 MBTA never did an analysis of the 211 businesses in

1 Hingham Square to find out what their needs were,
2 or all those people whose homes have already lost
3 value and whose value they won't be able to recoup.

4 Gordon Hersey, who has been here in the
5 audience this evening, talks about the time
6 43 years ago when pigeons flew in and out of the
7 building that he now owns, which is the Scoop and
8 is very viable.

9 We also have records about the fact
10 that the taxes on those houses, their assessment
11 was one-sixth the assessment of other properties in
12 the Town. So the socioeconomic impact in this
13 village alone is part of the equation that affects
14 the entire line as a whole.

15 Then in terms of the need for a full
16 Environmental Impact Statement, since the Corps has
17 exercised a cumulative control and responsibility
18 over the entire line of leadership of 106 process,
19 thus federalizing the permit process, the Corps has
20 turned an essentially private action of the MBTA,
21 original transit authority, into a federal action
22 for the entire project. There are transit issues
23 that are included in my material, but finally, we
24 hope that you will take a look at what is virtually

1 a bad transit project.

2 Thank you very much.

3 MODERATOR ROSENBERG: Thank you, ma'am.

4 (Applause.)

5 MODERATOR ROSENBERG: The next speaker
6 is Thomas Shields, followed by Michelle Kenn.

7 THOMAS SHIELDS: Thank you. Good
8 evening. My name is Thomas Shields. I live at
9 46 Rockwood Road in Hingham.

10 I'm expressing my concerns regarding
11 the MBTA's proposed plans to upgrade railroad
12 facilities in and around Home Meadows.

13 Home Meadows is of significant
14 biological importance to both the residents
15 surrounding it and the greater population of the
16 Town of Hingham. As one of many properties
17 purchased by the Hingham Conservation Commission,
18 Home Meadows offers residents of Hingham the unique
19 opportunity to observe the natural beauty of this
20 typical tidal freshwater wetland, as well as a
21 diverse assemblage of bird life. Home Meadows also
22 offers a significant character defining view to
23 those residents which surround it, as well as to
24 town residents who cross the Water Street bridge.

1 Several years ago, Home Meadows was
2 identified by the Mass Wetlands Restoration Program
3 as a priority salt marsh restoration site. Home
4 Meadows is also of historical significance. As the
5 last vestige of what was once a massive tidal marsh
6 that has since been filled and built upon, Home
7 Meadows offers Town residents a unique opportunity
8 to observe what the southeast shoreline and Hingham
9 Harbor used to look like in the early 1800s.

10 Hingham's Board of Selectmen sought to
11 protect these unique qualities when they signed a
12 Memorandum of Agreement with the MBTA. It is my
13 understanding that included in the agreement was
14 specific measures that would be taken during
15 construction of the line that would protect, if not
16 minimize the detrimental impacts to properties of
17 historical and environmental importance.

18 At the March 11th, 2000 [sic] public
19 meeting at the Town Hall to meet -- Town Hall
20 convened by the Department of Environmental
21 Protection, consultants to the MBTA outlined the
22 MBTA's methods to construct or maintain the new
23 railroad facilities. And it is clear that the
24 MBTA's proposed construction planned in the

1 vicinity of Home Meadows is significantly different
2 than that which was originally proposed. With
3 regard to Home Meadows, it is clear that the
4 revised plans are in direct conflict with the
5 spirit of the Memorandum of Agreement signed by the
6 Board of Selectmen and the MBTA.

7 I'm not going to be able to read this
8 all.

9 It is -- I'm sorry -- the increased
10 tidal flow -- the increased tidal flow as to be
11 accomplished by replacement of existing tidal gate,
12 which is currently too small. Also the existing
13 60-inch pipe, which runs from the gate to Hingham
14 Harbor was to be replaced with an 82-inch pipe.
15 The resulting increase of tidal flow in and out of
16 Home Meadows was greatly increased. Flushing of
17 the Meadow would raise the tidal height. Such
18 changes would vastly improve the overall habitat
19 within the marsh.

20 The current plans do not allow for
21 this. It is my opinion that the new proposed
22 method is going to result in increased filtration
23 and continued explosive growths of the Phragmites,
24 which are gradually choking out the natural flora

1 of the tidal marsh. Waterway channels within the
2 marsh are also disappearing at an alarming rate.

3 MODERATOR ROSENBERG: Thank you, sir.

4 THOMAS SHIELDS: Thank you.

5 MODERATOR ROSENBERG: You're welcome to
6 put your entire statement in, and we'll have it put
7 in the record. Thanks.

8 Next speaker, Michelle Kenn, followed
9 by Reverend James Rafferty.

10 MICHELLE KENN: Good evening. I'm
11 Michelle Kenn. I live at 7 Hersey Street.

12 I would like to speak specifically
13 about the four-quadrant gates at the Hersey and
14 South Streets intersection and also about the
15 median strip up Hersey Street. A lot of you
16 neighbors have eloquently expressed their concerns
17 so I would like to put a personal face on that.

18 On the -- the first side of odd
19 numbered houses on Hersey Street, there are 10
20 children under 10 that live there currently. As
21 the fire chief said, now it takes an additional
22 five minutes if the median barriers go in and the
23 two-quadrant gates go in for them to reach my house
24 and my neighbors' house. Five minutes to my child

1 who is younger and choking is too long for me right
2 now. That is an unacceptable alternative.

3 Also, the two quadrant gates are too
4 dangerous. It's an unacceptable risk for any of
5 these children. And the median strip I have
6 concerns about, because the median strip will end
7 right before my driveway. And so I see my driveway
8 now as becoming a space for people to turn around,
9 who don't want to wait for the traffic of the train
10 that is going too far. So that is my safety
11 concerns.

12 Traffic concerns. Right now the plans
13 stop traffic on North and South Street, which are
14 parallel streets, and this is a very busy
15 intersection. At commuter times of day, people use
16 our intersection to get to Route 3A to get to the
17 commuter boat, to get through Weymouth to go to
18 Boston, and it will also become a major
19 intersection for people who are parked at the
20 country club T station. So the traffic flow of the
21 proposed two quadrant gate system at Hersey Street
22 and South Street, it just doesn't make any sense to
23 me. Those are my concerns there.

24 And lastly, I have concerns from an

1 aesthetic point of view. I have lived in Hingham
2 for 29 years in West Hingham, and it's remarkable
3 how beautiful the homes are there in the historic
4 district.

5 So my husband and I recently, two years
6 ago, purchased our house for the reason that our
7 children would have the same opportunity that we
8 did to live in this beautiful town. And it just
9 breaks my heart that it would be so randomly
10 destroyed like that.

11 Thank you.

12 MODERATOR ROSENBERG: Thank you, ma'am.

13 (Applause.)

14 MODERATOR ROSENBERG: Reverend
15 Rafferty, who will be followed by James Watson.

16 REVEREND JAMES RAFFERTY: Thank you.
17 I'm James Rafferty, Pastor of St. Paul's Church,
18 147 North Street, immediate abutter to the proposed
19 installation of the line.

20 Over the past several years, I had the
21 opportunity to speak about the human impact of this
22 mainly in terms of safety. The immediate concern
23 is the safety of the children who attend our
24 school, which is located right behind the church,

1 an elementary school. We currently have 255
2 students there. During the day after school hours,
3 Sunday to Thursday, from 4:00 to 5:00 and 7:00 to
4 9:00, we have over 900 children come to the
5 building for religious education. There is a lot
6 of traffic. There's minivans, and cars, school
7 buses during the school day.

8 So as the process went on, and the
9 Memorandum of Understanding was agreed upon, the
10 tunnel underpass was decided upon like it was
11 relief. All the time it wasn't too parochial, if
12 you will, we just looked at our little niche there,
13 but wanted to look up and down the tracks with
14 great concern about safety for all the other
15 citizens who are coming and going into the Square
16 and to abut our Town. So to have those two
17 quadrant -- four-quadrant gates, it makes eminent
18 sense and should be done for the safety of our
19 children and all our citizens.

20 Now, to have the tunnel go through
21 those three crossings, Central, Main, North, South,
22 that Town Brook has to be relocated. Again, trying
23 to work with the T to see when that could be done,
24 it looked like the only window of opportunity to

1 safely do it was during the summer months when the
2 school was not being used, and we don't have the
3 extra traffic. With the six month temporary delay,
4 it's uncertain what will happen. There is many
5 concerns about what that brook relocation would
6 bring about.

7 I think that as we hear people speak so
8 well tonight about the environmental concerns,
9 about the human impact and other safety, these
10 various crossings, we really want to make sure that
11 bringing a train to a community can create a
12 hazard, and we hope that every effort will be made
13 to eliminate dangers. And if it can't be, I
14 respectfully say that perhaps it should not be
15 permitted.

16 Thank you.

17 MODERATOR ROSENBERG: Thank you, sir.

18 (Applause.)

19 MODERATOR ROSENBERG: Next speaker,
20 James Watson, followed by Thomas Burbank.

21 JAMES WATSON: Thank you. Jim Watson,
22 291 Rockland Street, formerly a member of the
23 Conservation Commission.

24 The train to me has always offered

1 opportunities, maybe not to 19th century having had
2 liking the train, but some approximation saving
3 people from driving. But it's always been ironic
4 that the Town would put the line with the most
5 productivity. The Greenbush Line is by far the
6 most difficult to get to Plymouth and Middleborough
7 and, therefore, sliding in behind them. There are
8 many problems. It's also sad but understandable
9 that the community with least to gain, because we
10 have the boat has perhaps the most problems.

11 The third point is that the idea of
12 strengthening the existing town centers has been
13 lost here, because the new station won't be at
14 Station Street, because of the need to come here
15 with cars. So there is some contemporary realities
16 that would change some of the maybe our reasonable
17 last hopes. But one opportunity I think we're
18 presented with, because Station Street area isn't a
19 new station, we could perhaps restore that section
20 of Pond Brook to an open channel. When we did open
21 space side of the Town in the late '70s, one
22 suggestion was that we lost the whole Mill Pond,
23 and that was filled at least an edge of it parallel
24 to North Street perhaps could be restored to an

1 open stone-lined channel, so it's seminatural.

2 And I know that is something that the T
3 should be required to pay for, but I think it would
4 be good to incorporate it in looking at the issues
5 that Horsley & Witten raised about surcharging the
6 pipe. Maybe it will take some pressure off that
7 and can be reconciled with the needs for the full
8 flow of Home Meadows. I agree with people who
9 spoke on that.

10 And, I think, the third point is that
11 with the Community Preservation Act, which the Town
12 did pass, there is the money to do some
13 discretionary open space things. Perhaps a
14 modification that free the brook, something that's
15 compatible to meet these needs and could be funded
16 at least partly with an open brook.

17 Thank you. And good luck with the
18 process.

19 MODERATOR ROSENBERG: Thank you, sir.

20 Next speaker Thomas Burbank, followed
21 by Patrick Bowes.

22 THOMAS BURBANK: Good evening. Thank
23 you for allowing me to speak.

24 My name is Thomas Burbank. I live at

1 17 Andrews Isle, and an abutter to the Home
2 Meadows.

3 And my remarks tonight will just try to
4 visualize what a 500 foot impervious concrete
5 embankment that is six feet high will visually
6 impact all the neighborhoods that surround the Home
7 Meadows.

8 Where perhaps with a little bit of
9 thought, a vegetated embankment would be much more
10 visually acceptable.

11 Thank you very much.

12 MODERATOR ROSENBERG: Thank you, sir.

13 (Applause.)

14 MODERATOR ROSENBERG: Next speaker
15 Patrick Bowes, followed by Norman Paley.

16 PATRICK BOWES: Good evening. I have
17 been following the meetings. I have been following
18 the Greenbush Line for the past 17 years when it
19 was initially talked about in Scituate. I live at
20 24 Woodland Road in Scituate.

21 Over the past 30 years, I have walked
22 along the seven miles of the abandoned rail bed in
23 Scituate. I feel that if we're building the
24 Greenbush Line it would have a severe negative

1 impact on the environment, especially our wetlands,
2 vernal pools, and wildlife habitat. I don't think
3 that the trees in the neighborhood would survive
4 with the constant dousing of deadly diesel fuel at
5 a rate of 24 trips a day on this diesel train.

6 I feel that the alternatives to the
7 MBTA's heavy rail diesel projects were never fully
8 investigated. Perhaps we could save our
9 environment by studying Express Bus Lines or
10 services on ferries over the waterways from various
11 South Shore towns. Successful ferry service are in
12 existence throughout the world and do not ruin the
13 environment.

14 I personally am a lobsterman out of
15 Scituate. And on several occasions through the
16 past 15 years, I have driven and taken a trip to
17 Boston and back. It can be done. We did
18 experiment with ferries on December 8th, 1994 out
19 of Scituate. I actually captained the -- the boat.
20 It was 110-foot boat. It is doable alternative
21 that would not impact the environment. And I think
22 perhaps the MBTA or the powers to be should
23 investigate this, because No. 1, it would not be a
24 season impact on that environment, and I think it

1 would be a lot less expensive than this project
2 they're talking about.

3 Thank you very much.

4 MODERATOR ROSENBERG: Thank you, sir.

5 (Applause.)

6 MODERATOR ROSENBERG: Next speaker is
7 Norman Paley, followed by Anthony A-G-N-I-T-T-I, I
8 believe.

9 NORMAN PALEY: I'm Norman Paley,
10 Preserve Our Pond, which is a citizens'
11 environmental group in Scituate. And I am also a
12 member of Citizens For Limited Taxation, which is a
13 tax group, and it's statewide.

14 I've followed this from the very
15 beginning. We've had an interest both
16 environmentally and fiscally, looking at the fiscal
17 implications both in the Town of Scituate and
18 statewide. This is not just a matter of safety, or
19 a particular safety issue. It's not a matter of a
20 particular environmental issue. It's a matter of
21 whether we can trust the T to do any of it and to
22 do it right.

23 I don't believe that they can. I've
24 watched time after time as the Town of Scituate has

1 impaneled citizens groups to interface with the T,
2 and they have given up in frustration. I have
3 watched time after time as individuals became
4 liaisons from the Town of Scituate to the T. And
5 we've had verbal agreements, and we have had
6 written agreements, and they have all gone by the
7 wayside. They mean nothing to the T.

8 We can't keep going on. We can't make
9 these mitigation agreements and then have them
10 completely violated. We've watched this project
11 skyrocket in price. We were told by Governor
12 Cellucci a few years ago that there would be a \$400
13 million cap; and then after he left office, it
14 became 435 million. And they said, well, that's
15 close. And then we see it now skyrocketing. We
16 see it spiraling toward 500 million. And at the
17 same time, on the one hand we see the price going
18 up, we see on the other hand that they're trying to
19 hedge on the mitigation agreements. Instead of
20 having the price go up, because they are doing
21 more, we see they are doing less, and the price is
22 going up at the same time.

23 I have been told by reputable people
24 that by the time this is over that this will be a

1 billion dollar project. And with the type of
2 building, design and build, and I can see the
3 change orders coming down the line, as the train
4 comes down the line, this will skyrocket out of
5 proportion, and we can't do it. The state can't
6 afford it, and the Town of Scituate can't afford
7 it.

8 Thank you very much.

9 MODERATOR ROSENBERG: Thank you, sir.

10 (Applause.)

11 MODERATOR ROSENBERG: Next speaker

12 Anthony Agnitti, A-G-N-I-T-T-I.

13 Brian Curtis. Mr. Curtis will be
14 followed by Sue G-I-A-C-C-H-E-T-T-I, I believe.

15 BRIAN CURTIS: Good evening. Brian
16 Curtis, 66 Hersey Street in Hingham, and also
17 Manager of West Hingham, LLC, which owns the
18 commercial block of property in West Hingham
19 Village occupied by a convenience store, a dry
20 cleaners and a fish market.

21 I'm sure you've all heard the phrase,
22 you can't get there from here. Well, if the
23 current plan that the MBTA proposes for the West
24 Hingham Village is implemented, that phrase will

1 apply to this area. Not only will you not be able
2 to get there, but if by chance you do happen to,
3 there won't be anyplace to park.

4 Now, this is obviously a concern for
5 the convenience store, dry cleaner pickup and local
6 fish market. It's also very frustrating, as you've
7 heard from some of the other people dealing with
8 the T, and we have met with them on several
9 occasions and been frustrated by the process and
10 getting answers. But the primary thing I think
11 you've heard tonight is the issue of the gates.

12 Now, the current plan that they are
13 proposing has a two-quadrant gate system with
14 median barriers. And in this particular
15 intersection is the Hersey Street/South Street,
16 which many people have discussed, there is actually
17 four gates, because they are gating each leg of the
18 intersection. So if you counted by the past, four
19 quadrant gates, there is four gates. Well, they've
20 already got four gates. Just put them where they
21 should go right on the tracks. It's pretty simple.

22 The other issues that, as I said we
23 have -- obviously, I live on Hersey Street, so my
24 family, you know, goes to this area. And the issue

1 of crossing safety, et cetera, they are all
2 concerned about and such, but the primary issue, I
3 think, is the median barriers for us, because they
4 basically block all access to the property. The
5 gate system, from what I understand, and we have
6 seen plans that the T proposed back in November of
7 2000, with a four-quadrant gate system without
8 median barriers. And it basically had, from what
9 we could tell anyways, no significant impact on the
10 operation of this area.

11 So we would strongly advise you to meet
12 with the T and have them go back to the drawing
13 board, look at the plans they had two years ago or
14 three years ago, get the four-quadrant gates
15 without median barriers and leave us alone and let
16 us live our own lives.

17 Thank you.

18 MODERATOR ROSENBERG: Thank you, sir.

19 (Applause.)

20 MODERATOR ROSENBERG: The next speaker
21 is Sue Giacchetti.

22 Lisa Smith. Ms. Smith will be followed
23 by James Smith.

24 LISI SMITH: Thank you very much for

1 coming and listening to us. My name is Lisi Smith,
2 and I live at 182 South Street which is at the
3 corner of Hersey and South Street. Our home is
4 known as the Matthew Lincoln Home and was built in
5 1725. I grew up in Hingham.

6 The intersection of Hersey and South
7 Street meets in several intersects, is an extremely
8 busy intersection. A four-way stop system was
9 recently implemented in the fall of 2002, although
10 it appeared to have had some impact on the
11 frequency of auto accidents. Because of the heavy
12 traffic flow through this intersection, I can
13 attest that accidents do indeed continue to occur.
14 All intersections by nature will have a percentage
15 of accidents and near misses, but the configuration
16 and location of this intersection increases the
17 probability.

18 Hersey, South, North, and Thaxter
19 Streets all converge onto this area. This coupled
20 with the fact that it is a residential area with a
21 very active commercial and retail site contribute
22 to the somewhat unique character.

23 Lastly, this intersection is in the
24 midst of the Lincoln Historic District with

1 historic homes registered both nationally and in
2 Massachusetts.

3 Another significant feature of this
4 intersection is the fact that it is an extremely
5 busy school bus route. School buses and other
6 educational transportation vehicles go through the
7 intersection on Route 2 and from Foster Elementary,
8 Hingham Middle and Hingham High School all morning
9 long. School bus traffic is at its heaviest during
10 hours of commuter rail service in the morning.

11 In conclusion, to reach a finding with
12 no significant impact with the current
13 signalization design proposed by the MBTA would not
14 be in the best interests of public safety. The
15 four-quadrant gate system is safer and is the only
16 solution for the Hersey/South Street intersection.

17 Thank you very much.

18 MODERATOR ROSENBERG: Thank you, ma'am.

19 (Applause.)

20 MODERATOR ROSENBERG: The next speaker,
21 James Smith, followed by Anne Hilbert.

22 JAMES SMITH: Good evening. That was
23 my wife that just spoke. We made both our own
24 evaluations and came to similar conclusions. And

1 you've heard a lot about the four-quadrant gates at
2 the corner of Hersey and South Street tonight and
3 probably heard all the same reasons.

4 We've spent a lot of hours looking at
5 plans down at the MBTA familiarizing ourselves with
6 the mitigation plan and discussing various options
7 before the quadrant-gate option was discussed and
8 listed as a specific project mitigation at this
9 grade crossing. Instead, the MBTA is now proposing
10 a signalized intersection with multiple poles, mast
11 arms, signal heads and median barriers along with
12 street widenings and also grade changes.

13 We've talked about safety, access.
14 We've talked about the visual aspect of it as well.
15 And there is probably no better way to see what is
16 really going on at that intersection than to drive
17 a car, park by the convenience store on the
18 weekend, and watch the children ride their bikes
19 and walk across the street and watch the
20 unbelievable amount of traffic that comes to that
21 particular intersection, and you will reach the
22 same conclusion, that it's going to be a disaster.

23 They have to put a four-quadrant gate
24 in. They have to -- they really have to get

1 their -- get their things together. Go back to the
2 drawing board. It was originally proposed. There
3 was a talk about and that word, the four-quadrant
4 gate option is going to protect the children of
5 this Town. It's going to stop the accidents at
6 that intersection, and it needs to be looked at.
7 It needs to be done. There is no other option for
8 that intersection.

9 Thank you very much.

10 (Applause.)

11 MODERATOR ROSENBERG: Thank you, sir.

12 The next speaker, Anne Hilbert.

13 Sam Manian. Mr. Manian will be
14 followed by Jack Hobbs.

15 SAM MANIAN: Good evening. I live near
16 the Nantasket Junction Station and would like to
17 make one comment about that.

18 With the building of that station there
19 is going to be additional flooding and overflow
20 from the train services, and there is a proposed
21 sewer system to go down Kilby Street, and we would
22 like to request that the Army Corps insist that the
23 MBTA participate in that cost and development of
24 that sewer system to accommodate the runoff from

1 there.

2 With regards to the Memorandum of
3 Understanding, Hingham negotiated in good faith for
4 all the provisions of that agreement; and if the
5 MBTA is able to withdraw their mitigation measure,
6 it is going to significantly heighten the risk of
7 flooding and safety throughout the Town of Hingham.
8 And it only seems appropriate that if the MBTA
9 wants to withdraw, perhaps the Town of Hingham
10 should likewise withdraw their support for this
11 project.

12 With regard to the MBTA contract, there
13 certainly is a problem there, and I don't know if
14 it's a problem with poor specifications, or poorly
15 written requirements, or an incomplete technical
16 proposal, but to allow the low bids that come in,
17 and deficiencies in their technical specification
18 and designs and costs is just nonresponsive. An
19 incomplete proposal would be considered deficient
20 and unacceptable in federal contracts. It would
21 not enter into the competitive range for further
22 consideration and ultimately refuse.

23 This contract with MBTA and Cashman
24 exhibits a lot of those characteristics and does

1 not represent the best value, job and technical
2 merit and cost realism.

3 The final point is that if they are
4 unable to mitigate and successfully address all
5 these problems then the Corps should look at
6 cancelling the current contract in the interest of
7 the government and putting it back out to bid again
8 so it's comprehensive, inclusive and covers all the
9 issues and problems that we see here tonight. And
10 if that -- if they still can't do it, then perhaps
11 the Corps needs to put out a full and complete
12 request for an environmental report that is
13 unbiased, objective and is not managed by the T.

14 Thank you very much.

15 (Applause.)

16 MODERATOR ROSENBERG: Thank you, sir.

17 The next speaker, Jack Hobbs, followed
18 L. Maynard Johnson.

19 JACK HOBBS: Thank you. I know you're
20 getting tired. It has been a long night -- long
21 day for you.

22 I am Jack Hobbs. I live 197 North
23 Street, about 200 yards from where the quadrant
24 should -- will be placed. I'm an architect and

1 construction manager.

2 I see -- before I get into details
3 about the quadrant, I see a real systemic problem
4 here in the process, and I think it has to do
5 primarily with the design/build project delivery
6 system.

7 A number of years ago, I wrote a book
8 as Chairman of Associated General Contractors with
9 the president, the past president of the Boston
10 Society of Architects about construction project
11 deliveries. I know when certain project delivery
12 systems are appropriate and when they may not be
13 appropriate.

14 Design builders used on Route 3 North
15 may have been appropriate for that type of
16 delivery, but this project is very sensitive. It
17 has a lot of sensitive aspects that I think need a
18 full hearing not only of the issues, but a full
19 design set of drawings so everybody understands the
20 details that will affect their lives, everything
21 from I hear lights in a parking lot, to the
22 quadrants at a railroad crossing, to retaining
23 walls. All those things are part of the massive
24 design, but they come to affect real lives when it

1 comes to the implementation of them.

2 I live 200 yards from the quadrant at
3 Hersey and South Street. I also have a business on
4 149 South Street, which is the first building on
5 the north side of South Street going towards the
6 Square, so I am impacted both personally, and my
7 family is impacted from the safety aspect. I'm
8 in -- the business of the business has been in my
9 family for 30 years. It's an interiors business,
10 an art gallery. When I'm in that building, my kids
11 go around the tracks, across the tracks to visit me
12 and my wife, and there is a lot of interaction
13 between the two buildings. I am concerned about
14 that safety aspect. I'm concerned about the
15 physical construction aspects to my building on
16 149 South Street. I will almost be able to touch
17 the side of the train from the back of my building
18 at 149 South Street when the train comes by. I
19 have a rental apartment on the second floor. It
20 will certainly affect the value of that. It will
21 affect the traffic patterns that go in front of my
22 business. And I don't know how that will affect it
23 directly, because I'm not aware of all the details
24 of this design. I understand it's a realignment

1 is: Does the name Big Dig mean anything to you?
2 It's that we are into it now. We've got to go.
3 Oh, gee, we have got to redo this. And to bring up
4 some old grade crossings, somebody gave me a
5 number. I have no idea whether it's totally true,
6 but it has got to be close. I live in the Town of
7 Scituate. Supposedly, there will be 244 school bus
8 crossings per day. If you take that out for a
9 school year at 180 school days, that is 43,920
10 grade crossings. That is a whole lot of chance for
11 an error.

12 With the grade crossing in mind, I
13 would ask you people if you haven't walked the rail
14 bed. Take one intersection, which concerns me,
15 because my kids grew up there, the Beaver Dam Road
16 crossing. It's directly -- it's at the bottom of a
17 steep hill. It's a nasty spot, and that train is
18 going to be doing 50 plus miles per hour.

19 Enough said.

20 MODERATOR ROSENBERG: Thank you, sir.

21 (Applause.)

22 MODERATOR ROSENBERG: Next speaker,

23 Claire Hagan.

24 William English.

1 Fairbanks, 129 Nealgate Street.

2 I have no clue what you're thinking.

3 (Laughter.)

4 JANET FAIRBANKS: Janet Fairbanks.

5 MODERATOR ROSENBERG: Thank you, ma'am.

6 JANET FAIRBANKS: I am a Scituate
7 resident and a former member of the Rail Mitigation
8 Committee in Scituate that was disbanded as Norman
9 had mentioned. I am not an abutter. I don't even
10 live near the train, but I do have a lot of
11 concerns. And I would you like to address two of
12 them tonight. One is the roundabout and wetlands
13 mitigation.

14 The wetlands mitigation has -- I don't
15 think been addressed properly. No studies have
16 been done on the habitat that will be displaced.
17 It is fresh water areas over 5,000 square feet
18 obviously, and they are going to replicate in the
19 salt water marsh. I'm not sure if trading credits
20 for that is reasonable. And I would like the
21 mitigation banking review team to look at that.
22 It's obviously not clear to the wildlife living
23 there anyway.

24 The roundabout in Greenbush is the

1 major access to Scituate, and it will also be the
2 entrance to the 1,100 car parking lot in Greenbush.
3 Right now it's an nonsatisfactory intersection.
4 With the roundabout, there will be seven roads
5 entering this roundabout. Seven. It is not
6 doable. Right now there is an entrance to a state
7 park there that people walk across every day. When
8 the light turns, you can then cross. There will be
9 no way to cross to get into the state park.

10 That's it. Thank you.

11 MODERATOR ROSENBERG: Thank you, ma'am.

12 Thank you.

13 (Applause.)

14 MODERATOR ROSENBERG: Lisa Staffieri.

15 AUDIENCE PARTICIPANT: She had to
16 leave.

17 MODERATOR ROSENBERG: Faith Burke --
18 Burkett -- Burkland?

19 FAITH BURBANK: Burbank?

20 MODERATOR ROSENBERG: Burbank. Good.

21 Thank you.

22 FAITH BURBANK: Thank you for coming
23 tonight.

24 I just have two quick -- I am Faith

1 Burbank, an abutter, and a concerned environmental
2 educator.

3 Concerns for you to consider as you're
4 moving forward: To consider the impact of the
5 diesel on the surrounding area, particularly as it
6 comes out of the tunnel. It will be right at the
7 Home Meadows area; and a second point is I would
8 like -- I want to just reemphasize what Mrs.
9 Fairbanks just said. To consider the wetlands
10 restoration mitigation program, the Home Meadows is
11 a priority restoration project with similar
12 inventories for the south coastal area.

13 So thank you very much for doing that.

14 MODERATOR ROSENBERG: Thank you, ma'am.
15 Thank you very much.

16 (Applause.)

17 MODERATOR ROSENBERG: Next speaker,
18 William Rugg. Mr. Rugg will be followed by Richard
19 Avery.

20 WILLIAM RUGG: My name is Bill Rugg. I
21 live at 257 North Street in Hingham.

22 I guess I don't harbor any illusions
23 about the MBTA looking out for my interests or the
24 interests of my family or the community in which I

1 live. They are a transit agency. They are
2 responsible to move people on trains, and I respect
3 that. However, I'm looking to you as the lead
4 agency in this permitting process to consider the
5 interests of the community and those of my family
6 and myself.

7 I live in an historic district, and as
8 would you expect, the houses in the historic
9 district are old, they are expensive to maintain.
10 The future of the historic district and the
11 structures within that district depend on there
12 being people like myself and the other people who
13 own buildings in the district to keep them up and
14 to maintain them. As for owner-occupied buildings,
15 as houses turn over, there has to be somebody else
16 to buy them. If they are rental units, the rental
17 units need to produce enough income such that the
18 people who own the rental unit can maintain them.

19 The place where I live has to be a
20 desirable place to live, at least a reasonable
21 place to live if the historic resources within that
22 community are going to be maintained over time.

23 What I'm asking for you to do is to
24 include specific language in any permit that you

1 should choose to issue that addresses first that
2 the impacts of the train be limited to the train
3 right-of-way itself, and thus the median barriers
4 that are proposed and the widenings in people's
5 front yards and so forth, which are completely out
6 of character with a historic district, be -- be
7 prevented.

8 And secondly, from a safety
9 perspective, but actually more from a perspective
10 of aesthetics and limiting the impact of the
11 proposed rail development, that the four-quadrant
12 gates be installed so that, you know, for instance,
13 we live in a place where you can't have vinyl
14 siding on the house. And I spend half my life
15 scraping. And the community is -- you're willing
16 to put up with that if you live there.

17 And what the T is proposing is to put
18 concrete median barriers down the streets and have
19 a design which is much more of an urban design,
20 completely out of character with that neighborhood.

21 And as the lead agency, I'm asking for
22 you to put specific language into any permit that
23 you would issue that address those things and
24 protect the character of the community.

1 Thank you.

2 (Applause.)

3 MODERATOR ROSENBERG: Thank you, sir.

4 Our next speaker, Richard Avery,
5 followed by Vin Bucca.

6 RICHARD AVERY: I'm Richard Avery. I'm
7 a Cohasset resident, and I'm a trustee and the
8 Treasurer of the Cohasset Conservation Trust, which
9 is a private foundation that controls and owns
10 about 15 or 16 parcels of natural habitat in
11 Cohasset and Scituate.

12 Coming late in this hearing, I feel
13 that we are coming to you as a court of last resort
14 to either stop or render it harmless what seems to
15 be a weapon of mass destruction.

16 (Laughter.)

17 RICHARD AVERY: I have not heard much,
18 if anything, said tonight that is giving us a
19 balance between the good and the bad. I don't see
20 any ground for a win/win in finding a solution
21 within the confines of what you're looking at with
22 us tonight.

23 I would hope that as a court of last
24 resort, you can get up in that helicopter, or some

1 high position, and look at the impact of this from
2 both an enlightened and a future point of view,
3 that is beyond the capability of any of us that
4 speak to you tonight, or some of the members of the
5 various governments that are involved.

6 Because this project is both going
7 to -- it's what we call as parents enabling
8 behavior. It's going to allow even more in the
9 future construction in a dense city and also sprawl
10 in the suburbs.

11 As a member of the Trust, we are
12 worried about the land intensity, the land use
13 intensity that this will engender. That is more
14 than the quad gates or filling a little bit of the
15 wetland. It is the whole issue of sprawl and more
16 people on top of each other.

17 If you do look at this from other
18 alternatives, and I don't know if you're allowed to
19 do that, but for \$400 million, we could
20 broaden Route 3 up to the Naval air station, the
21 Weymouth Naval Air Station, which has rail service
22 as ample land for parking, that would improve that
23 roadway for traffic to the Cape and the rest of the
24 South Shore. If you can't look at those

1 alternatives, what we would ask is, obviously,
2 protection of all the natural resources. We would
3 also request a pedestrian walkway or a bikeway
4 along the corridor. This connects the Hingham
5 Skating Rink, the Cohasset golf course, the
6 Woodside Cemetery, the Bancroft Bird Sanctuary and
7 Sanctuary Pond, a Little League field, the swimming
8 pool, the library, the post office, the village
9 shops and a skating rink.

10 It is the backbone of Cohasset, and it
11 would be great if a train is going to rumble
12 through, because you can't stop it, at least give
13 us that safe access down that same route.

14 So if you would really consider who
15 gains and who loses, you really have to choose a
16 group against another. And I don't know how you
17 choose that group, but I do not see a win/win with
18 this train coming at us.

19 MODERATOR ROSENBERG: Thank you, sir.

20 (Applause.)

21 MODERATOR ROSENBERG: The next speaker
22 is Vin Bucca, followed by Noel Collins.

23 VIN BUCCA: My name is Vin Bucca. I'm
24 from Scituate.

1 And earlier this afternoon, in the --
2 this afternoon's session was a gentlemen who spoke
3 who represented the railroad industry. He stated
4 that there were no health issues related to diesel
5 exhaust.

6 Well, while eating dinner earlier
7 tonight I was watching the evening news, and there
8 was a news story on the evening news that said that
9 the Bush Administration today proposed ordering
10 reductions of more than 90 percent in nonhighway
11 diesel-engine pollution blamed for thousands of
12 premature deaths, heart attacks and respiratory
13 ailments.

14 The story also went on to say, the
15 breathtaking hazards posed by diesel exhaust stand
16 in stark contrast to the lack of comprehensive
17 program -- of a comprehensive program to control
18 diesel emissions from all their sources. The
19 report went on to say also that our current federal
20 regulations of diesel engines and fuel are a
21 chaotic patchwork. Particularly susceptible to the
22 effects of diesel exhaust, it says, are children,
23 the elderly, and people with asthma,
24 cardiopulmonary lung and chronic heart diseases.

1 I would like to remind the panel that
2 the senior housing community, there is a senior
3 housing community both at Wheeler Park near the
4 Greenbush layover yard and at the Lincoln Park
5 development near the North Scituate station.

6 We all have a right to clean air, and
7 we look to you to protect that right on our behalf.

8 Thank you.

9 MODERATOR ROSENBERG: Thank you, sir.

10 (Applause.)

11 MODERATOR ROSENBERG: Next speaker,
12 Niel Collins [sic].

13 Thank you, sir.

14 Mr. Collins will be followed by Neil
15 Cronin.

16 NOEL COLLINS: Thank you.

17 It's Noel Collins, 365 North Main
18 Street in Cohasset.

19 365 North Main Street is a historic
20 house, because it's the oldest teardown in the
21 neighborhood. It's also in a neighborhood that is
22 blighted by a flood every year. North Main Street
23 is the main route in the town into the village, and
24 every year it floods out. And when it floods out,

1 no one gets through it. They park a police car
2 there, and it's turned off. Two years ago it was
3 shut off for two days, because of a 25-year storm
4 event. So it doesn't take much.

5 But what we have been doing for the
6 last couple of years is having the town cut a
7 trench through the railroad bed to relieve the
8 flooding into the five-acre pond behind my
9 property. I have been working with the T and with
10 Cashman to try to cooperate on a drainage solution.
11 We don't have one yet. I don't know how you can
12 issue a permit when we don't have one yet.

13 I have had meetings with Cashman people
14 and the T, and they are very polite; and the
15 unfortunate thing is I frequently leave the meeting
16 knowing less than when I went in, because what I'm
17 told is, we can't tell you too much at this point.
18 We haven't designed it in Cohasset. And if they
19 haven't designed it yet in Cohasset, I don't know
20 how I can comment on it here tonight. And if I
21 can't comment on it here tonight, I don't know how
22 you can issue a permit.

23 Design/build is for dreamers. It's for
24 politicians. I would hope engineers would hold

1 them and their feet to the fire so that until we
2 have solutions to problems like flooding, no
3 permits issued. Until we have had a chance to see
4 plans that address those issues, no permits issued.
5 The cart has to come after the horse, not before
6 it.

7 I have turtles every year that come
8 across my property. Brave little troopers, we have
9 to turn them around, try to keep them on the
10 railroad bed. I haven't had anyone address that
11 issue. I understand we are trying to preserve
12 turtle crossings elsewhere. This is a major turtle
13 crossing. No one has contacted me.

14 So my hesitation and my concern is
15 that, and Army Corps of Engineers, I would expect
16 them to hold back or refuse to issue a permit until
17 such time as every plan necessary for a permit to
18 issue has been examined by the people, and then
19 commented on.

20 Thank you very much.

21 MODERATOR ROSENBERG: Thank you, sir.

22 (Applause.)

23 MODERATOR ROSENBERG: Next speaker,
24 Neil Cronin.

1 NEIL CRONIN: My name is Neil Cronin.
2 I am a Precinct 9 Town Meeting Member from the Town
3 of Braintree, and I thank you as well for holding
4 this hearing tonight.

5 I have -- I was originally a Greenbush
6 supporter when this first came out 12 or 15 years
7 ago. And I have come over the many years to
8 examine the details of this project and come away,
9 um, disheartened and disillusioned and disappointed
10 by what the MBTA has failed to do. I feel that
11 they basically are ignoring the Wetlands Protection
12 Act, the Clean Air Act of 1970, listening to, or
13 basically sidestepping the historical issues by
14 financing the whole thing with state money. They
15 continue to just march along. It's like they
16 listen, and they just continue.

17 The wetlands issue heretofore the
18 eternal vernal pools and other wetlands will be
19 altered or eliminated, and these laws are here to
20 protect the wetlands.

21 The Clean Air Act, to think that diesel
22 is a solution in these times just amazes me. Since
23 the Greenbush was first proposed, the reactivation
24 or rebuilding of the brand-new state of the art

1 electric generating plant to be at the site of the
2 old Edgar Station is now being built, cheap, clean,
3 electric, and I can't believe that in this day and
4 age we're continuing to look at diesel as a
5 solution.

6 You know, none of us in this room could
7 let's say put up a gas station or a hundred homes
8 on the Driftway in Scituate, but the MBTA can, they
9 feel, have the right to put in diesel trains, and
10 thousands of gallons of diesel fuel down there. It
11 is not a transportation solution.

12 There are so many issues when it comes
13 to Greenbush. They never let the Town speak as one
14 comprehensive voice. It has been a patchwork of
15 mitigation, pitting town against town. It has been
16 unfair representation. And they just come -- they
17 just keep coming through, you know, in this day
18 where transportation ideas should be a solution.
19 This is one dimensional. It has too many safety
20 risks. Concern after concern has been articulated
21 tonight, and they are all legitimate concerns.

22 And I also feel that the budget, which
23 has continued to grow, racked it up to the point of
24 almost being double what it initially was is still

1 unrealistic. I feel that they think they can get
2 this thing rolling and then pursue it just because
3 it's started. And, you know, with the monies
4 today, listening to alternatives, enhanced water,
5 transportation, possibly the widening of Route 3.
6 Certainly electric rail would be a way to go today.
7 It's the idea.

8 Thank you.

9 MODERATOR ROSENBERG: Thank you, sir.

10 (Applause.)

11 MODERATOR ROSENBERG: Jane Carr.

12 Anthony A-G-N-I-T-T-I.

13 Sue Giacchetti -- I am sorry --

14 Giacchetti. Yeah.

15 Anne Hilbert.

16 Claire Hagan.

17 William English.

18 Lisa Staffieri.

19 Is there anybody here that would like
20 to speak but did not fill out a card?

21 ALEXANDER MacMILLAN: I spoke before,
22 but we intended to give the Corps for their record
23 a copy of a book that was recently published by the
24 Hingham Historical Commission with pictures of --

1 of any of the pictures that are taken in the area
2 along the right-of-way. It's interesting that we
3 can give you this book now, because at the earlier
4 hearing in 1997, we just published the book, which
5 I think you have in your files. And we have come
6 full circle, and we have published another book,
7 and I think you will find it useful. And there are
8 pictures of the railroad construction when the road
9 was being widened in 1898 and other pictures
10 of -- you'll find important historically. So I
11 will give you a copy of this book.

12 Should I put it in this basket, then?

13 MODERATOR ROSENBERG: Yes. Thank you,
14 Mr. MacMillan. We will have that for the record.

15 Is there anybody else that would like
16 to add something for the record?

17 Colonel Green.

18 LIEUTENANT COLONEL BRIAN GREEN:

19 Thanks, Larry.

20 We have heard a great many thoughtful
21 statements tonight and earlier today and this
22 afternoon. Careful analysis will be required
23 before a decision can be made.

24 Again, written statements may be

1 submitted to the Corps of Engineers until
2 April 25th, 2003, and they will receive equal
3 consideration of those presented today and tonight.

4 Each question or issue raised will be
5 answered or addressed in our Statement of Finding
6 upon the issuance or denial of the permit.

7 And all who submitted a card or written
8 comments will be advised of our decision.

9 We at the Corps of Engineers extend our
10 appreciation to all who took the time to involve
11 themselves in this public review process and also
12 to the Town of Hingham for the use of this fine
13 facility tonight.

14 I would like to thank you all for
15 taking the time to provide us with your thoughts,
16 your comments, and your concerns.

17 Thank you very much and good night.

18 (Applause.)

19

20 (Whereupon, at 9:59 p.m., the hearing
21 was adjourned.)

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I, Marianne Kusa-Ryll, Registered Merit
Reporter, do hereby certify that the foregoing
transcript is a true and accurate transcription of
my stenographic notes taken on April 15, 2003.

Marianne Kusa-Ryll, RMR